

**THE MARITIME TRADE IN ILLICIT DRUGS:
THE EXPERIENCE OF THE COASTAL MEMBER STATES OF O.E.C.D.**

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ABSTRACT

The trafficking of illicit drugs by sea has become an industry comprised of many individual enterprises of variform size and organization. Seizure statistics for the 1980s indicate that 70% of the total quantity of drugs intercepted in the trafficking stage were interdicted in the maritime sector or attributed to having been transported by sea. More significantly, it appears that only between 8 - 12% of the total volume of drugs trafficked are intercepted. The use of the sea-borne modes of transport is the result of planetary geography which made the maritime medium one of only two ways by which drugs may enter several states.

In response, varying sophisticated counter-trafficking offensives, policies and strategies have been implemented and contemplated in select geographical regions - examples being the Caribbean and Pacific Basins. However, the importation of illicit substances to the primary consuming states has not been curbed and indications are that the overall flow of drugs remains unimpeded.

This thesis focuses on the maritime trade in illicit drugs during the 1980s by providing both qualitative and quantitative analyses of the activity. Specifically, the theme addressed is the question of why there is so little success in combating the maritime drug trade. Embraced by the study are the various geographical, physical, technical and socio-political elements supportive of the trade. Among the pertinent topics revealed are the flow structure to the trade, the categories of drugs transported, the classes of vessels utilized, the methods of concealment and deception employed, the involvement of organized crime, the contributing geographical elements and the unique variations to specific routes as determined by destination and region. Additionally, the international law suppressing the maritime trade in illicit drugs is examined. To lend completeness to the study a brief review of the historical dimension to the smuggling of drugs by sea is included along with analysis of drug production and consumption. Because the threat of drugs is perceived to be greatest, albeit wrongly, among the developed states this thesis tackles the subject from the perspective of the coastal member states of O.E.C.D. Lastly, recommendations and innovations to old strategies are proffered specifically as they apply to the maritime component of the illicit drug trade.

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ABBREVIATIONS AND ACRONYMS USED

ACS	Australian Customs Service
ADA	Administration Des Douanes Et Accises (Belgian)
AFP	Australian Federal Police
<u>AJIL</u>	<u>American Journal of International Law</u>
Art(s).	Article or Articles
<u>ATS</u>	<u>Australian Treaty Series</u>
Aus.	Australia
Ave.	Average
<u>Bevans</u>	<u>US Treaties and Other International Agreements of the US</u> <u>1776 - 1949</u>
<u>BFSP</u>	<u>British and Foreign State Papers</u>
BINM	Bureau of International Narcotics Matters (US)
BLPES	British Library of Political and Economic Science
CCC	Customs Cooperation Council
CDS	Contraband Detector System
CE	Council of Europe
C & E	Customs and Excise
CIA	Central Intelligence Agency
CICD	Centro Investigacao Controle Droga (Portuguese)
Cir.	Circuit (US court reference)
<u>Cmd.</u>	<u>United Kingdom Command Papers</u>
CND	Commission on Narcotic Drugs
CNS	Central Nervous System
Co.	Company
Col.	column
Com.	Commission
CRI	Centrale Recherche Informatiedienst (Dutch)
CSS	Coastal Security System
<u>CTS</u>	<u>Consolidated Treaty Series</u>
CSZ(s)	Continental Shelf Zone or Zones
D.C.	District of Columbia
DEA	Drug Enforcement Administration (US)
Dept.	Department
Divs.	Divisions
DND	Division of Narcotic Drugs
Doc(s).	Document or Documents
Dom.	Dominican
<u>DPIJ</u>	<u>Drug Problems In Japan</u>
Dr.	Doctor
d.u.	dosage units
ECOSOC	Economic and Social Council of the United Nations
ed.	edition or editor
EEZ(s)	Exclusive Economic Zone or Zones
EFZ(s)	Exclusive Fishing Zone or Zones
ENACO	Empresa Nacional de la Coca (Peruvian)
EP	European Parliament
excl.	excluding

<u>EYB</u>	<u>European Yearbook</u>
FCO	Foreign and Commonwealth Office (British)
F.R.G.	Federal Republic of Germany (West Germany)
Gen.	General (military title)
gm(s).	gram or grams
GPCCD	Gabinete De Planeamento E De Coordenacao Do Combate A Droga (Portuguese)
GPO	Government Printing Office
h	hectare
HCG	Hellenic Coast Guard
HCl	HydroChloride
<u>HCT</u>	<u>Hertslet's Commercial Treaties</u>
H.K.	Hong Kong
HM	Her Majesty's
H.R.	House Resolution (US)
Hrs.	hours
<u>Hudson</u>	<u>International Legislation</u>
ICC	International Chamber of Commerce
I.C.D.A.I.T.	International Conference on Drug Abuse and Illicit Trafficking (held in June 1987)
Ice.	Icelandic
<u>ICLQ</u>	<u>International and Comparative Law Quarterly</u>
<u>IJIL</u>	<u>Indian Journal of International Law</u>
ILC	International Law Commission
<u>ILM</u>	<u>International Legal Materials</u>
<u>ILS</u>	<u>International Law Situations</u>
IMO	International Maritime Organization
Inc.	Incorporated
INCB	International Narcotics Control Board
<u>INCSR</u>	<u>International Narcotics Control Strategy Report (US)</u>
INTERPOL	International Criminal Police Organization
ISDD	Institute for the Study of Drug Dependence (British)
Isl.	Island or Islands
JCNSWTF	Joint Commonwealth and New South Wales Task Force (Aus.)
<u>JDI</u>	<u>Journal du Droit International</u>
<u>JOF</u>	<u>Journal Officiel (French)</u>
Just.	Justice
Kg(s).	kilogram or kilograms
k/h	kilograms per hectare
Km(s).	kilometer or kilometers
LSD	lysergic acid diethylamide
m	million (used with monetary terms)
MDA	3, 4-methylenedioxymphetamine
MDMA	3, 4-methylenedioxymethamphetamine
MEK	methyl ethyl ketone
MHCA	Ministry of Health and Consumer Affairs (Spain)
MHW	Ministry of Health and Welfare (Japan)
mm	millimeter or millimeters
Morph.	Morphine
MP(s)	Member or Members of Parliament (Britain)
MPO	Ministry of Public Order (Greece)
M.Sc.	Master of Science (academic degree)
m.t(s).	metric ton or tons
m.t./h	metric ton(s) per hectare

MWHCA	Ministry of Welfare, Health and Cultural Affairs (Holland)
N.	North
N/A	data not available
NDIB	National Drug Intelligence Bureau (New Zealand)
<u>NDIE</u>	<u>National Drug Intelligence Estimate</u> (Canadian)
NDIU	National Drug Intelligence Unit (British)
N.E.I.	Netherlands East Indies
<u>NIE</u>	<u>Narcotics Intelligence Estimate</u> (US)
n.m(s).	nautical mile or miles
NNICC	National Narcotics Intelligence Consumers Committee (US)
No.	number
NPA	National Police Agency (Japanese)
N/R	data not reliable
NSOCP	National Swedish Council for Crime Prevention
N.S.W.	New South Wales (Australia)
NWFP	Northwest Frontier Province (Pakistan)
NZ	New Zealand
OECD/O.E.C.D.	Organization For Economic Cooperation and Development
ONCB	Office of the Narcotics Control Board (Thai)
p.	page
para(s).	paragraph or paragraphs
PCP	Phenocyclidine
<u>Peaslee</u>	<u>International Governmental Organizations</u> , 3rd Ed., 1974-6.
PJ	Policia Judiciaria (Portuguese)
P.L.	Public Law (US)
P.N.G.	Papua New Guinea
pp.	pages
Pres.	President
Qty.	Quantity
RCMP	Royal Canadian Mounted Police
Rep.	Republic
<u>RTAF</u>	<u>Recueil des Traites et Accords de la France</u>
S.	South
SCANLINK	Scandinavian Link Project
SDRI	Social Defense Research Institute of the United Nations
Sec.	Section
SPO	Soil Products Office (Turkish)
sq.	square
S.S.	Steamship (denotes propulsion system)
St.	Saint
Stat.	Statistical or Statistics
<u>Stat.</u>	<u>US Statutes at Large</u>
Stims.	Stimulants
subpara(s).	subparagraph or subparagraphs
Supp.	Supplement
THC	tetrahydrocannabinol
<u>T.I.A.S.</u>	<u>Treaties and other International Acts Series</u>
<u>TNAR</u>	<u>Thailand Narcotics Annual Report</u>
trans.	translation or translator
TS	Territorial Sea
<u>T.S.</u>	<u>Treaty Series</u> (US)
U.A.E.	United Arab Emirates
UK/U.K.	United Kingdom of Great Britain and Northern Ireland
UKHO	United Kingdom Home Office

<u>UKTS</u>	<u>United Kingdom Treaty Series</u>
<u>UN</u>	<u>United Nations</u>
<u>UNAFEI</u>	<u>United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders</u>
<u>UNCLOS III</u>	<u>United Nations Convention on the Law of the Sea of 1982</u>
<u>UNJYB</u>	<u>United Nations Juridical Yearbook</u>
<u>UNTS</u>	<u>United Nations Treaty Series</u>
<u>US/U.S.</u>	<u>United States</u>
<u>U.S.A.</u>	<u>United States of America</u>
<u>USC</u>	<u>United States Code</u>
<u>USCG</u>	<u>United States Coast Guard</u>
<u>USCS</u>	<u>United States Customs Service</u>
<u>U.S.S.R.</u>	<u>Union of Soviet Socialist Republics</u>
<u>UST</u>	<u>United States Treaties</u>
<u>v.</u>	<u>versus</u>
<u>Vert A</u>	<u>Vertrage der Bundesrepublik Deutschland, Series A</u>
<u>Vol.</u>	<u>Volume</u>
<u>Volvon.</u>	<u>Volvontatso (Finnish City)</u>
<u>W.</u>	<u>West</u>
<u>y</u>	<u>year</u>
<u>ZAORV</u>	<u>Zeitschrift fur Auslandsches Offentiliches Recht und Volkerrecht</u>

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B. R. Aune
London, 1989

I. INTRODUCTION.

1.1 Premise Behind This Study

The transport of narcotic drugs by sea is not new or a recent trend. It dates back to antiquity. History is full of anecdotes about the drug trade. Relative to the other forms of modern transport such as motor vehicles, railroads, airplanes and post the maritime medium is the oldest. Vessels of one form or another have been utilized for several thousand years. Only the use of animals and mankind's own bodily form of locomotion predate the maritime sector. What is new is the diversification in methods of conveyance and concealment utilized and the categories of drugs trafficked within the maritime medium. There is an entirely new complexity to the trafficking scene. Primarily, this is the result of modern technological, industrial, legislative and administrative developments interacting with economic motives. *Vis-a-vis* the historical context these dynamic changes and their continual propagation in society today may be simply summed up in the phrase "the world has changed." This reality applies to all facets of life and activity inclusive of the drug trade. Commensurate with the changes and structuralization of life and activity an inverse relationship of progressively stronger anti-drug efforts contraposed by increasingly illicit and furtive drug-related activities has materialized. The result is that less is known about these underground economic enterprises and enforcement is complicated.

The significance of the maritime component of drug trafficking has

not been lost. The United Nations through its specialized agency, the Division of Narcotic Drugs, has gathered considerable information on the maritime drug trade for years.¹ It maintains a Commission on Narcotic Drugs which in turn is subdivided into units of special interest, one of which is the Expert Group on Countermeasures to Drug Smuggling by Air and Sea (hereinafter referred to simply as the Air & Sea Group). They convene regularly to discuss developments and issues of a direct bearing and draft proposed countermeasures. The results are published as agency reports.² Most recently, an international convention has been drafted to combat illicit trafficking which includes three maritime related articles. Realistically, it stands a fair chance of ratification. The question is more a matter of the degree of active application conferred and obligated upon the signatories.

On the regional and multilateral level the Council of Europe's efforts is an example of joint participation against drug trafficking in a specific geographical locale. From 1983 to 1988 the Pompidou Group worked on drafting a treaty for European waters, but this project was terminated in deference to the above-cited multilateral treaty.³ Innumerable examples of drug control measures abound on the national and municipal levels. Collectively, but often misguidedly called national policy, they run the gamut from preventive education and public policy campaigns to amended or new legal, criminal and penal codes to direct counter-offensives and operations. An example of the first are the many media campaigns against drug use such as those broadcast on television and radio in the U.K., the U.S.A. and Sweden. An example of the latter are the sporadic blockades of the Ports of Miami and New York by the US Coast Guard.⁴ For periods of 24 hours at a time on selected days all

vessels entering these ports are searched for drugs.

Midway through researching this topic the International Conference on Drug Abuse and Illicit Trafficking was held in Vienna in 1987.⁵ Fortuitously, the author was able to attend that conference. The opportune timing of it not only assisted the author's research but vividly demonstrated the importance attached to fighting the drug problem by the world community. Being the first and largest of its kind, the I.C.D.A.I.T. Conference highlighted the perceived threat from narcotic drugs and psychotropic substances. It was well attended by individuals, organizations and states of diverse origin, culture and political persuasion representing virtually all countries in the world. That conference has become the pivotal axis around which this study derives its thrust and momentum. The discourse which ensues in the subsequent pages is an indepth study into the maritime trade in illicit drugs. Specifically, research and analysis focuses on the trafficking of narcotic drugs and psychotropic substances by maritime modes of conveyance and the international legal framework in effect to combat the trade. This treatise is divided into two themes of discussion. The first concerns the trade itself of which quantitative and qualitative data presented by others are minimal. The other reviews the legal structure for suppressing marine drug smuggling which is both unclear and somewhat lacking. Among the aspects analysed in detail are the categories of drugs transported by sea, annual volumes shipped, classes of vessels used, methods of concealment and deception employed, flow routes and composite trade matrices, contributing geographical factors and attributes, role of organized crime and the international law repressing maritime drug smuggling. The drug trafficking situation in various

states of the Organization of Economic Cooperation and Development is specifically emphasized for reasons explained later in the chapter. It is hoped that this treatise will be accepted as the most definitive, comprehensive and "state of the art" analysis of the maritime drug trade - that is its objective.

1.2 Bases For The Study

Two factors have determined the need for this research. Imprimis, there is a lack of published material on the topic. While there has been a multitude of articles, books, studies and texts on social aspects and phenomena related to illicit drugs, there is relatively little on the subject of trafficking - especially the maritime component. Considering that the trafficking component is an essential stage in the process by which drugs come to infiltrate society and create a problem, it mandates attention. The second factor is the growing social menace which drugs pose to society today. The negative sentiments presented in literature, projected in public opinion and stated by government leaders all attest to a communal and global anti-drug outcry.

1.2.1 Literature Review

In assembling a bibliography for this dissertation and referencing many of the points stated it became evident that little information in either a descriptive, authoritarian or quantitative format exists in relation to the first theme. This should not be construed as meaning the data, statistics and documents necessary for preparing such a study are non-existent. On the contrary, they do exist, but are incomplete or not in a readily understood format. In either case work was required to

complete, decipher and translate them into something easily presented and grasped. While a reasonable bibliography, in terms of references and sources, has been complied, it must be noted that there have been very few publications encompassing the scope of the research contained herein and none possess the comprehensive detail proffered herein. The few publications around today that do focus on the maritime aspect of drug trafficking present their findings and viewpoints in a manner wholly unsuitable from the perspective of proper scholarly endeavour; that is to say, they lack the detailed quantitative and qualitative analyses required of true research and for which proper deductive thought is derived and documented. The majority of them succumb or subscribe to market forces present in selling a commercially successful book or owe their origin in faulty format to the profession of the author. Most of them deal in sensationalism or are written journalistically. High profile and attention-grabbing figures, intrigues, events and exploits are paraded through the text to hold the reader's interest. Moreover, none of them are devoted exclusively to the maritime drug trade. Instead, discussion on the subject is presented in the form of a chapter or as interspersed and anecdotal sentences and paragraphs incorporated into a larger body of text. Examples in the 1980s include The Fix,⁶ Outlaws of the Ocean,⁷ The Cochin Connection,⁸ The Heroin Trail⁹ and Drug Trafficking - A North-South Perspective.¹⁰ For those interested in the historical dimension see: H. J. Anslinger and W. F. Tompkins's The Traffic In Narcotics (1953),¹¹ A. B. Lubbock's The Opium Clippers (1933),¹² D. M'Laren's The Opium Trade (1907),¹³ J. Goldstein's Philadelphia And The Opium Trade, 1682 - 1846 (1978)¹⁴ and S. E. Morison's The Maritime History of Massachusetts

1783 - 1860 (1921).¹⁵

In addition to books and texts there are numerous periodicals which contain articles on drug trafficking. However, as noted above, there is a paucity of information on the drug trade by sea. Several authors acknowledge the maritime dimension and some cite actual incidents and cases or provide a general synopsis of the role of ships. The Bulletin On Narcotics is a noteworthy periodical with frequent articles on the trafficking aspect.¹⁶ It usually contains good analytical articles on trafficking in relation to a specific state or geographical area.

The third and most important source of data on trafficking are governmental reports and documents. They offer the best up-to-date data. Most government agencies and departments concerned with drug matters publish reports and summaries on the drug scene as it affects their domain; and their concomitant activities in dealing with the problem. National police forces, intelligence agencies, customs services along with special commissions and task forces possessing special anti-drug mandates or policy formulation authority are typical examples. They proffer the best raw data, statistics and assessments available on the smuggling of drugs by sea. However, here too, specific information and data may be limited, incomplete or theoretical. It varies from agency to agency and state to state. Among the best are the National Drug Intelligence Estimate and Drug Report published by the Canadians annually.¹⁷ The American equivalents are the Narcotics Intelligence Estimate and Customs U.S.A.¹⁸ Drug Problems In Japan is a highly analytical Japanese publication with excellent statistical data.¹⁹ Thailand's Office of the Narcotics Control Board publishes a good annual report.²⁰

A fair amount of the data presented in this treatise in relation to select states comes from the aforementioned sources. For other states, though, this is not the case. Their reports are either too general or lack data on drugs altogether.

Vis-a-vis the legal theme there is an abundance of published materials including books, texts, articles and documents available on the subject of narcotics control and legislation. However, a review of them finds little analysis of either maritime anti-drug doctrines or of prevailing international legislation as it applies to the maritime component of drug smuggling.²¹ Essentially, there is no comprehensive treatise on maritime legislation repressing drug trafficking by sea or operational control measures in place to combat that trade. Recent good books on the aspect of international legal control of narcotics trafficking include S. K. Chatterjee's Legal Aspects Of International Drug Control (1981) and S. D. Stein's International Diplomacy, State Administrators and Narcotics Control (1985).²² Neither book specifically deals with or elaborates upon the international legislation in effect by which states may combat drug trafficking by sea. It is germane to observe that Chatterjee agreed on this point in personal conversation with the author and further indicated the need for such a study.

Additionally, the DND and ECOSOC provide information on legal and penal aspects of drug control through published documents, reports and summaries but they are not the most analytical and often incomplete. On the national level, governmental reports and documents inclusive of or similar to those cited earlier are helpful in explaining the law, its bases and objectives, but often detail on the functional and hypothetical applicability of them is lacking.

1.2.2 The Social Menace Of Illicit Drugs

The second factor endorsing this study is the growing and undeniable drug problem in the world. Drug use and abuse are reaching epidemic proportions in many countries and one may say they have become endemic to society today. Though exact figures are unavailable, it is estimated that the total number of drug users in the world is in the millions, that the annual production of illicit drugs is in the hundreds of thousands of tons annually and that the gross value of the global drug industry today is in the vicinity of 350 billion dollars (US\$). It is clearly evident that drugs are a major source of crime and social degeneracy. The illicit status of many narcotic drugs and psychotropic substances induces criminal activity and behaviour. The addictive and harmful effects of drugs foster destruction of the human mind and body and lead to decay of the social fabric of society. One cannot avoid hearing of the problem as the media is constantly providing reports and details of drug-related incidents. There is not a day which does not pass without mention of drug-related events somewhere in the world. The scope of the drug problem and its many facets defies cursory description. Thousands of articles, books and reports have been published to date ranging the gamut from epidemiological studies to law reviews to policy doctrines to social commentaries. Because of the extensive collection of literature on the topic aside from the maritime dimension of drug trafficking, it is senseless to duplicate what has been said elsewhere several times over. Suffice it to say that drugs are one of the more pressing problems facing the human population today and in this regard all should be done to understand the problem including uncovering the extent to which illicit drugs are shipped by sea. It

should be obvious that for certain states geographically isolated from the production sites of drugs (at least in their raw or crude forms) such as Australia, Canada, Iceland, Ireland, Japan, New Zealand, Norway, Sweden and the U.K. the importation of drugs is limited to either the atmospheric or maritime mediums. Consequently, marine drug trafficking does play an important role.

1.3 Limitations In Scope Of The Study

This study is limited in scope to the coastal member states of O.E.C.D. Many factors have necessitated curtailment of the breadth of research. Imprimis, many states in the world simply do not maintain records, archives and statistics on the subject - certainly not on a level of efficiency one is accustomed to in the ultra-developed Western states. Government documentation is poor to non-existent. This is true even among certain developed states where you would not expect to find data problems. In states which are decentralized or republics the required data may be spread out among a number of provincial government seats thus handicapping access to it. Another factor forcing curtailment of the study area is the fact that many states, notably of the Third World and Communist Bloc, consider such data sensitive and classified. There are other states, the names of which will remain anonymous, whose governments or officials thereof are corrupt and actively involved in drug trafficking. For some states drug production and smuggling are ways of earning foreign exchange. While their governments do not officially condone drug trafficking they do little to arrest it. For the researcher this means there is little chance of obtaining legitimate facts and figures. A third reason for limiting the

scope is that some countries only offer up information, data and statistics which are biased in their favour for whatever grounds they have decided to so. As to why states do this one can only speculate upon, but fear of embarrassment is undoubtedly a factor. Alternatively, false information may be proffered to give the appearance of political stability or social reform being extant. Countries which are beneficiaries of foreign or international aid have a specific motive to do so since the provision of such aid may be contingent upon progressive developments internally. Obviously, for the researcher this is undesirable as studies are tainted and the findings prejudiced.

In providing reasons for limiting the scope of the research the question naturally arises as to why study the maritime drug trade of the coastal member states of O.E.C.D. The answer is comprised of several factors. First, the O.E.C.D. represents 24 countries, primarily of the Western world, where the awareness of drugs and the perceived threat from them is greatest. It is not by coincidence that the majority of information concerning drugs and various drug-related phenomena come from OECD states. Collectively, the majority of OECD states epitomize the Western world and all its commensurate successes and shortcomings. In other words, they represent a unified political, economic, social and cultural sphere - and in light of their position on the planet they are the most important indicator of stability or change. From an economic standpoint they alone account for nearly 67.7% of all economic productivity in the world.²³ An analysis of the political structures extant in OECD states demonstrates an overall preponderance for parliamentary democracy - which is perceived to be the ideal political system. A threat of disintegration or destruction of the moral fibre of Western

society as posed by drugs, both from the criminal and physical perspectives, is a threat to world order. As such, the OECD states are an index by which to measure the deterioration of society as a whole. Though this may sound like the whimsical, fanciful and banal gibberish of a neurotic pessimist or rightwing pro-establishment radical it is not fiction that all levels of governments and many international organizations spend a considerable amount of time, effort and money on attempts to control a growing problem with marginal to diminishing success.

While the O.E.C.D. comprises predominantly Western states it also represents a diverse cross-section of the world's states. Some have distinct political, economic, social and cultural characteristics. They are also far-flung encompassing a number of regions and continents. The U.S.A., West Germany and Japan typify the ultra-developed states, yet are culturally different and found on different continents; Portugal, Greece and Turkey are developing states with internal political strife and the latter two feuding; and Denmark, Finland, Norway and Sweden are exemplary of the socialistic doctrine. These unique distinctions among OECD states are similar to the differences and diversities between states outside the organization. For those Third World countries, isolationist states and hard-core communist nations not typified by an OECD state and not adversely affected by a drug problem, the drug dilemma facing the OECD states serves as an example of what may happen and, in that sense, is indicative of the future if drugs are not brought under better control.

In studying the OECD states it must not be construed that the rest of the world will be omitted. In fact the nature of the maritime drug trade prohibits such ignorance. Rather, this study focuses on the OECD

states as drug consumers. The fact that a majority of drugs originate from outside OECD states requires that the producer, exporter and transit states be pinpointed and the trade patterns defined. Efforts in drug control including police actions, bilateral agreements and international conventions have been effected outside the O.E.C.D. which affect the overall maritime drug trade and thus have a bearing on any review on the subject. A further limitation on the scope of the study is prompted by the geography of the OECD states. By definition, maritime trade can only occur between states which abut the sea - or more precisely put, coastal states. Of the 24 countries constituent in O.E.C.D., Austria, Luxembourg and Switzerland are land-locked. Hence, these three are not included *per se*, but any riparian and lacustrine drug trafficking of note is cursorily mentioned. Therefore, the following 21 states are the focus of the study: Australia, Belgium, Canada, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, Japan, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, the United Kingdom, the United States and West Germany. Another limitation to be fully understood is that the focus of this study is on the marine trafficking of illicit narcotic drugs and psychotropic substances. The timeframe is the present which means the 1980s. Although it may seem redundant to state, this is not a study of drugs, drug use and abuse, drug rehabilitation and domestic drug control unless the latter is of a special marine orientation. Neither is this a study in the maritime commerce of pharmaceutical drugs or supplies except where they are stolen and diverted for illicit consumption. Nor is the author attempting to make any social statements about drugs. It is accepted that drugs are harmful to the body, detrimental to society and provoke criminal

behaviour. Simply put, this is a research treatise on the maritime trade of an illicit commodity.

A final limitation concerns the degree of accuracy which one may hope to attain in such a study. In response to questions of accuracy the following caveat is proffered and quoted from the Narcotics Intelligence Estimate 1984:

"Since production and distribution of illicit drugs are, by definition, illegal, there are little reliable data upon which to base estimates of the quantities of drugs involved. Most of those statistics which are available tend to reflect the results of law enforcement activity (e.g. the numbers of individuals arrested, quantities of drugs and assets seized, and conveyances from which seizures were made). They do not reflect the quantities of drugs which were not interdicted and which consequently were assumed to have entered user populations.....Because of gaps in some of the data used to derive the estimates, there is a high degree of uncertainty to the resulting estimates. It is believed, however, that they are sufficiently accurate that the general trends portrayed can be considered to be reliable. Separate data bases and methodologies are used to produce separate estimates of drug production and use."²⁴

The figures, statistics, trade patterns and other data offered herein will undoubtedly be lacking in the quantitative sense as they only reflect interception results but, and this is a big but, their value in a qualitative sense is unsurpassed and irrefutable. Where feasible, to resolve the problem of differing databases and compilation methodologies, the data has been reconciled to a standardized format. Hence, the data presented is in harmony and the comparative analyses are valid.

1.4 Research Methodologies Utilized

A good portion of the research necessitated original investigation of government documents, files, reports and statistics along with personal interviews of officials involved in drug control. This was par-

ticularly the case with the part of the study concerned with the actual trade. A major portion of the research was of the investigatory nature where the source had to be determined, the raw data located, then extracted, analysed and, lastly, arranged into a format of presentation representative of the points to be portrayed. Visits were required to the appropriate agencies in various countries and to pertinent international organizations. In other cases, correspondence by post and diplomatic channels sufficed for obtaining the data sought after. Where fieldwork was conducted, the data was derived by sifting through documents, files, records and by interviews. Participation in actual marine drug patrols and raids were an adjunct aspect done to give the author a real sense of the enforcement dimension. For the part of the research dealing with the legal framework literary sources tended to prevail. In some instances, original fieldwork, usually done simultaneously with the above research, was required in order to obtain the latest doctrines and codes, or clarification of them. Law texts, treaty series, official documents, legal and criminal codes as well as general publications on the topic were reviewed. This portion of the research was of the more passive and typical scholarly nature. The sections herein of a purely descriptive nature are based on materials found in a general survey of literature on the topic under review. To insure that all feasible avenues of finding data and reference sources were traversed library card catalogues, literary reference indexes and computer publication databases were all consulted.

1.5 The Research Questions

In all research endeavours certain unanswered questions in the

researchers' minds preface all inquiry into the subjects under investigation. The research upon which this treatise is founded is no exception. Several lines of query existed in the author's mind concerning the maritime drug trade. Instead of discussing them individually at length the principal questions to be addressed are simply but formally set forth below.

- 1) Why is such a study of value?
- 2) What is the objective of this study?
- 3) What has been the history of drug smuggling by sea?
- 4) How has geography fostered the illicit drug trade by sea?
- 5) What are the geopolitical and economic factors involved?
- 6) How do free trade zones support drug smuggling by sea?
- 7) Which categories of drugs are heavily trafficked via the sea-borne modes of conveyance and what are the volumes involved?
- 8) Why are vessels a successful mode of drug trafficking?
- 9) What are the classes of vessels utilized in maritime drug smuggling?
- 10) What are the principal trafficking routes by sea and why?
- 11) What are the predominant modes of shipment, concealment and deception employed to effect successful conveyance?
- 12) What is the extent of maritime drug trafficking amongst the coastal member states of O.E.C.D.?
- 13) What are the differences in the maritime trafficking scenes amongst the respective coastal member states of O.E.C.D. and why?
- 14) What role does organized crime play in the maritime trade of illicit drugs?
- 15) What is the international law for suppressing the trafficking of illicit drugs by sea?
- 16) Is the extant international law an effective suppressant of the illicit drug trade? And, if not, why not?

- 17) What does the future hold in store in terms of seeing the maritime trade in illicit drugs brought under control?
- 18) Can the maritime trafficking of drugs be stopped and, if not, why not?
- 19) What recommendations can be made which, if implemented, may better suppress the illicit drug trade by sea?

Within the pages of this thesis the objective is to answer these questions in a definitive and concise manner.

1.6 Working Definitions For Select Terms Used In Treatise

A final task to be done before proceeding is to provide working definitions for six locutions and terms used frequently herein. This is essential because in many cases there is more than one meaning or nuance to a locution or term depending on how it is used or the subject to which it is applied or the background of the user. The definitions presented below do not necessarily represent the complete body or scope of meaning to the respective terms and words listed. Nor is it suggested that the definitions proffered are the most precise in either legal, pharmacological, scientific or technical terms. However, relative to the research topic and how the respective locutions and terms are used, the definitions provided are both appropriate and correct.

As used herein, the term "narcotic drug(s)" refers to all substances which numb the senses, induce lethargy and drowsiness or coma, if ingested in large doses, and relieve pain. The large number of drugs under this classification defies description. For the purposes of this thesis all the substances listed in Schedules I, II, III and IV of the Single Convention on Narcotic Drugs, 1961²⁵ along with others of that ilk not listed therein shall be deemed narcotic drugs.

As used herein, the term "psychotropic substance(s)" refers to all drugs which actively change the consciousness of an individual when consumed (ie. the consciousness of the consumer has been altered for the duration of the drug's presence in a potent form in the body). The number of drugs under this classification defies description. For the purposes of this thesis all the substances listed in Schedules I, II, III and IV of the Convention On Psychotropic Substances 1971²⁶ along with others of that ilk not listed therein shall be deemed psychotropic substances.

As used herein, "cannabis" is a generic name for all forms of the hemp plant *cannabis sativa L.* containing the alkaloid tetrahydrocannabinol. In actuality, cannabis has a myriad of diverse names. Basically, the distinction in nomenclature stems either from pharmacological differences in potency or because of diversity in the etymology and vernacular of the various terms for cannabis found in different languages. In english, the common terms and synonyms for cannabis are hashish, marijuana and sinsemilla.

As used herein, "opiates" is a generic term embracing all narcotic drugs which have as their natural origin the poppy plant *papaver somniferum L.* Among the substances derived from this plant and subsumed under the term in this thesis are codeine, opium, morphine, heroin and hydromorphone.

As used herein, the term "commercial carriers" embraces all registered merchant vessels engaged in bonafide trade either of the liner category or tramp category.

As used herein, the term "private vessels" refers to all vessels, both registered and unregistered, which are not formally engaged in

commerce, but which have assumed an explicit but covert role in the transport of illicit drugs. Military craft and other government vessels are not included within the scope of this term.

Notes And References For Chapter I.

1. The DND has been compiling data since 1946. Though only formalized as an agency following the Single Convention on Narcotic Drugs, 1961 it existed informally as a group within the umbrella organization called the Commission on Narcotic Drugs. The CND was one of six commissions established by ECOSOC in 1946 subsequent to the UN's inception. It basically took up where the Opium Advisory Committee of the League of Nations left off prior to World War II. The DND inherited the role of the old Permanent Central Board and thus received the responsibility for collecting and publishing the statistical summaries first started in the early 1920s.
2. See for example: UN Docs. DND/WP.1985/10, DND/WP.1985/11 and E/CN.7/1986/11/Add.3.
3. See: Council of Europe/Pompidou Group Doc. P-PG (87) 7 of 27 March 1987.
4. From time to time the USCG institutes unannounced blockades of these ports and searches all vessels entering them for illicit drugs. Generally, the emphasis is on the private craft and those commercial carriers which either have arrived from known source areas abroad or

deemed suspect for other reasons.

5. UN, International Conference on Drug Abuse and Illicit Trafficking [Pub. V.86-62365] (Vienna, January 1987).
6. B. Freemantle, The Fix (New York: Tom Doherty Associates, 1986).
7. G. O. W. Mueller and F. Adler, Outlaws of the Ocean (New York: Hearst Marine Books, 1985).
8. B. Milgate and A. Milgate, The Cochin Connection (London: Chatto & Windus, 1987).
9. Newsday, The Heroin Trail (New York: Souvenir Press, 1974).
10. A. McNicoll, Drug Trafficking - A North-South Perspective (Ottawa: North-South Institute, 1983).
11. H. J. Anslinger and W. F. Tompkins, The Traffic In Narcotics (New York: Funk & Wagnalls, 1953).
12. A. B. Lubbock, The Opium Clippers (Glasgow: Brown, Son & Ferguson, 1933).
13. D. M'Laren, The Opium Trade (London: Morgan & Scott, 1907).
14. J. Goldstein, Philadelphia And The Opium Trade, 1682 - 1846 (University Park: The Pennsylvania State University Press, 1978).
15. S. E. Morison, The Maritime History of Massachusetts 1783 - 1860 (Boston: Houghton Mifflin, 1921).
16. The Bulletin On Narcotics is published by the DND in Vienna, Austria on a quarterly basis though since 1986 the issues have been less frequent due to budgetary constraints within the UN.
17. For recent examples refer: RCMP, NDIE 1987/88 (Ottawa, 1988) and Canadian Customs & Excise, 1987 Drug Report (Ottawa, 1988).
18. For recent examples refer: NNICC, The NNICC Report 1987 (Washington, D.C., April 1988) and USCS, Customs U.S.A. 1988 (Washington, D.C., 1989).
19. For a recent issue refer: NPA, DPIJ 1986 (Tokyo, 1986).
20. For a recent issue refer: ONCB, TNAR 1985 (Bangkok, 1986).
21. Just as this thesis was completed and being prepared for submission a couple of articles on the maritime component did appear. However, they do little more than provide a cursory review of the applicability of the UN Convention on the Law of the Sea 1982 (Cmd. 8941) and UK-US Exchange of Notes concerning Co-operation in the Suppression of the Unlawful Importation of Narcotic Drugs of 13 November 1981 (Cmd. 8470) to

the maritime drug trade as interpreted by the authors. See: W. C. Gilmore, "Narcotics interdiction at sea," Marine Policy, Vol. 13, No. 3 (July 1989), pp. 218-230 and U. Leanza, "Policing the Sea - Foreign navigation viewed from the point of view of the law of the sea," International Criminal Police Review, No. 416 (January-February 1989), pp. 9-17.

22. Refer: S. K. Chatterjee, Legal Aspects Of International Drug Control (The Hague: Martinus Nijhoff, 1981) and S. D. Stein, International Diplomacy, State Administrators and Narcotics Control (London: Gower, 1985).

23. Percentage figure is derived from data found in The Economist's The World in Figures (London: Hodder & Stoughton, 1987).

24. NNICC, NIE 1984 (Washington, D.C., 1985), p. i.

25. 520 UNTS 204; UKTS 23 (1979); 18 UST 1407; ATS 31 (1967); 2 Ind JIL 104; 1969 RTAF 32; T.I.A.S. No. 6298; 45 Vert A 612.

26. 1019 UNTS 175; 32 UST 543; Cmd. 7330; 10 ILM 261; JOF 19 Jan 77; 1977 RTAF 9; T.I.A.S. No. 9725; 55 Vert A 724.

II. HISTORY OF MARITIME DRUG SMUGGLING.

2.1 Overview Of The Historical Context And Concept

Providing a detailed account of the history of the maritime drug trade is, unfortunately, beyond the scope of this treatise. However, neither can the historical context be fully ignored, particularly as aspects of the modern drug trade have their origins in the past. The use of narcotic drugs dates back to the origin of man. The primitiveness of early human existence was of such harshness that preliterate man consumed natural narcotic and psychotropic substances as a means of alleviating the consonant anguishes of life.¹ The paucity of data to be found in early records, literature and artifacts regarding the consumption and flow of narcotic substances sustains our lack of understanding about drug use in historical times. Consequently, the time-frame for when drugs first began to flow between points with some form of regularity such that it can be said a drug trade existed is, from the standpoint of precision, undefinable. Before going any further, a couple of important points of clarification are required. The first concerns the definition and scope of the terms "drug." Because of scientific and technological advancements in the past one hundred years, give or take a little depending on the subject, it is only today that we categorize drugs so precisely. The terms "narcotic" and "psychotropic" not to mention all the diverse chemical, pharmacological and behavioural-effect terms used now did not exist in the earlier periods

of history. Neither did the myriad of drugs we have today which are either wholly synthetic or chemical derivatives of some natural drug, plant or organic substance. Hence, the drugs referred to in historical documents and studies are strictly natural substances which, without undergoing refinement, produced the effects experienced today from currently consumed narcotic drugs and psychotropic substances. Poppy juice, crude opium and cannabis are the prime examples of naturally occurring narcotic drugs consumed early on. Belladonna, gingseng, henbane, peyote, snakeroot and soma are additional examples of the multitude of other natural substances extant and frequently consumed in historical periods which induced either a narcotic or psychotropic effect, but which are not commonly recognized as potent drugs today. The second point to be remembered is that the use of these early narcotic and psychotropic substances was not illegal. In other words, they were not prohibited from use though in some cases restricted to select castes and classes of people. To the contrary, they were often socially accepted and important components of early tribal and societal rituals. Religious rites, official ceremonies, social gatherings and private parties were all occasions for drug use. The notion that certain substances were elixirs of passion which inflamed one's sexual prowess and ability promoted their consumption. More sedate uses were as medicines, cures and therapies for an array of afflictions. Furthermore, it should be observed that even in the early societies and cities there existed subcultures of individuals who lacked the ability to deal with life because of circumstance, class structure, poverty or physical ailment and resultantly resorted to drug use as a method of coping. This situation of then is identical to the problems we have today concerning inner-city

blight, social decay and the young. In summary, there was nothing illicit about the production, transport and consumption of drugs and to use the term "smuggling" or "trafficking" is, with few exceptions, inappropriate for describing the early movement of drugs.

2.2 The Earliest Incidences

Having said the above and considering the topic of this thesis, the discussion naturally swings to the question of how, when and where did drug smuggling first commence. The first documented occurrence - period is a better word - of drug smuggling dates back to the days of the Roman Empire. However, the basis behind it is totally dissimilar to that behind the illicit drug trade of today. During the Social War in 89 B.C. a brief prohibition was placed on the importation of the drug *unguenta exotica*, an ointment, and foreign perfumes to Rome.² This socio-economic legislation was promulgated to preserve currency which had become scarce; the reason for banning the drug was because it was expensive and contributed to currency depletion.

The next documented occurrence of true drug smuggling by sea dates to the late 17th century. Again, the basis for it was not analogous to that behind the trafficking of drugs today but a politico-economic situation of the period. Following the decline of Arab superiority in Indian Ocean commerce the Portuguese had become the dominant force in the region. One of their primary trade objectives was to develop an exclusive export trade in opium between their colonies of Damam and Goa in India and China.³ By the 1600s opium had become a problem in China, but with the advent of opium smoking in 1683 it quickly escalated in magnitude to a dilemma of addiction.⁴ It is here that the first instance

of drug smuggling in the true essence of the meaning occurs. The problem was that the Arabs who had enjoyed a lucrative trade in opium with China for centuries did not relinquish such activity easily. Therefore, to protect their maritime commerce and ensure revenue for the Crown, the Portuguese imposed restrictions on the Arab dhow traders and categories of cargoes they could transport.⁵ The Arabs naturally disregarded the regulations and henceforth were engaged in the carriage of illicit commodities (from the European point of view) to prohibited Asian ports.⁶ Subsequently, the Portuguese shipping of opium to China likewise fell into disrepute in 1729 when Emperor Yung Cheng issued the first edict declaring opium-smoking and opium dens illegal.⁷ It is at this point in history that the concept of drug trafficking first begins to emerge. The banning of opium use in China meant two things. Imprimis, for the first time recognition had been given by a society to the deleterious effects the drug posed to it and steps were taken to ban the drug on those grounds alone. Secondly, by virtue of the decree the trade in opium to China was no longer justifiable and thus assumed a sinister dimension. It must, however, be noted that the carriage of opium by sea had not at this stage become illegal because the edict did not extend to that aspect. Furthermore, there was no global or international scope to these developments since they only involved China and its opium trade.

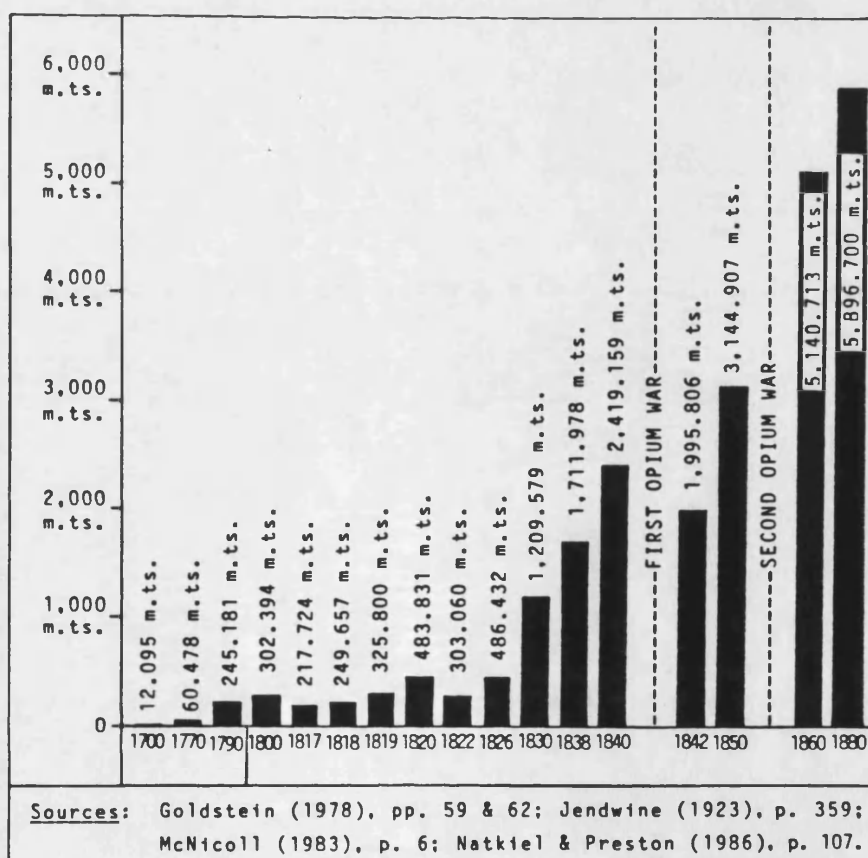
It was not until 1796 when the Chinese banned opium importation that drug trafficking in the true meaning of the term first commenced.⁸ Hereafter, the opium trade was illicit and strictly a drug trafficking enterprise. This point in time laid the foundation for all the contentious debate, negotiations and conflict over opium which subsequently

ensued through history in legal and political circles, social institutions and international forums. The emergence of Great Britain in the India-China opium trade, following the demise of the Portuguese in the late 18th century, only saw the trade purposefully and zealously developed into an industry of gargantuan proportions. The British East India Co. owes its entire success to that trade.

2.3 The Opium Wars Era

The British trade in opium escalated dramatically in the early 1800s. All attempts by the Chinese to halt the flow of opium only proved futile. As Table 2.1 depicts, opium importation grew rapidly in

Table 2.1 The Maritime Opium Trade To China In The 19th Century.



the period prior to the Opium Wars. Subsequently, it continued upward to even higher annual volumes. Besides the India-China opium trade there existed a Turkey-China opium trade. Comparatively speaking, it was minor, in the hands of the Americans and visible only in the early part of the 19th century. Turkish opium was deemed inferior to Indian opium and consequently its importation remained insignificant compared with the latter.⁹ In 1833 - 1834 Turkish opium amounted to only 4% by value of total opium imports to China.¹⁰

The illegal nature of the opium trade nurtured the development of fast ships. The slow British indiamen were supplanted by fast clipper ships. Baltimore brigs and Boston clipper schooners in the 1830s through 1840s built for speed with fast turnaround times in mind and reduced cargo capacity became the mainstay of US involvement. The British constructed clipper-rigged brigs, barks and schooners with the same emphasis on sleek design. India and Burma built clippers as well, but they were employed by British dominated companies sailing under the British colonial flags. The topsail schooner, designed for speed and built on the coast of Britain, became the preferred vessel in the 1850s.¹¹ They were armed and cost more per ton to build than the finest yachts of the period.¹² Chinese vessels which lightered the big ships and did the actual landings of opium within China included Canton fast-boats, junks, lorchas, sampans, smug boats, and tanka-boats. Indian wallachs were also used. American pilot boats were another fast vessel employed for drug-running into China.¹³ The crews of these trans-shipment vessels were locals. In regards to the long-haul clippers and schooners, the officers were of the same nationality as the vessel's country of registry. The ethnic composition of the crews varied while

in other cases there was homogeneity in nationality based on the flag state's ethnic or racial structure. Examples of crew nationalities include British, American, French, Dutch, Portuguese, Greek, Chinese, Indian, Malay, Burmese, Filipino and Lascar seafarers.

Because much has been written about the opium wars and the many intrigues and issues related to it, little will be said here.¹⁴ The First Opium War (1839 - 1842) resulted from the opium embargo the Chinese implemented in 1838 in Canton which the British opium traders took great exception to. It ended with a decisive victory for the British and the signing of the Treaty of Nanking.¹⁵ Opium importation *per se* was not legalized. However, for the Chinese to actively interfere with such activity was deemed foolhardy in lieu of Britain's military superiority. The reason for Britain and its allies not pursuing the legalization of opium trafficking was that they expected the liberalized trade policy in legitimate cargoes to be more than adequate from an economic standpoint. In subsequent years the opium trade resumed full operation. Internal strife and rebellion in China in the early 1850s coupled with bitterness over the loss of prestige incurred and trade concessions made in the First Opium War fostered smouldering discontent in China. Trade relations remained a major irritant. In 1856 a local dispute in Canton between foreign traders and the Chinese precipitated the Second Opium War or Arrow War as some call it. This time British and French forces together went into China and after four years succeeded in taking Beijing. The 1858 Treaties of Tientsin, which had been signed in the middle of the war, but not fully respected, opened more ports to trade and formally legalized opium trading. The 1860 Treaty of Peking reinforced the prior ones and ceded Kowloon to

Britain.¹⁶ In subsequent years, a number of countries concluded treaties on commerce and trade with China which effectively legitimized the trade in opium by sea.¹⁷ Additionally, the French established their own opium monopoly in Indo-China along lines similar to that of the British one in India. In hopes of obtaining revenue from the legalized opium trade China instituted a tariff on opium imports.¹⁸ Opium became China's biggest import in monetary terms in the period 1875 - 1885.¹⁹ It was not until 1908 that opium importation stopped. A combination of pressure by native opium growers on the Chinese government and rampant cultivation of opium within China made importation a senseless enterprise. Instead, China became a major exporter in the later decades with Southeast Asia and the U.S.A. becoming its best customers. Between 1871 - 1884 opium exports to the latter averaged 34.5 m.ts. annually.²⁰

2.4 The Persian Gulf In The Late 1800s

One other important area of opium commerce in the 19th century was the Middle East. Opium was produced in Iran in considerable quantities. Precise quantitative figures are unavailable. Transported overland to the ports of Bushire and Bandar Abbas, opium was then distributed by dhows within the Persian Gulf and exported to the westcoast of India in the 1850s.²¹ Muscat in Oman became a major entrepot trading centre for drug trading and in the 1850s more than 800 kgs. of opium were shipped from Persian ports.²² It is worth observing that the Iran-Oman trade was legal. From Muscat opium was shipped licitly and illicitly by dhows to India, Kenya, Pakistan and Zanzibar.²³ Among the ports involved in the opium trade were Karachi, Kutch, Malabar and Mombasa along with those mentioned above. At an agreed price the dhow traders would

transport anything and everything without much query. Figure 2.1 depicts the Persian opium trade. The Persian opium trade of the period was heavily dependent on the use of a multitude of diverse local craft and vessels. The types of vessels utilized were basically determined by the trade points and the locally-evolved designs found therein. Table 2.2 lists them.

Figure 2.1 The Persian Opium Trade Of The Late 19th And Early 20th Centuries.

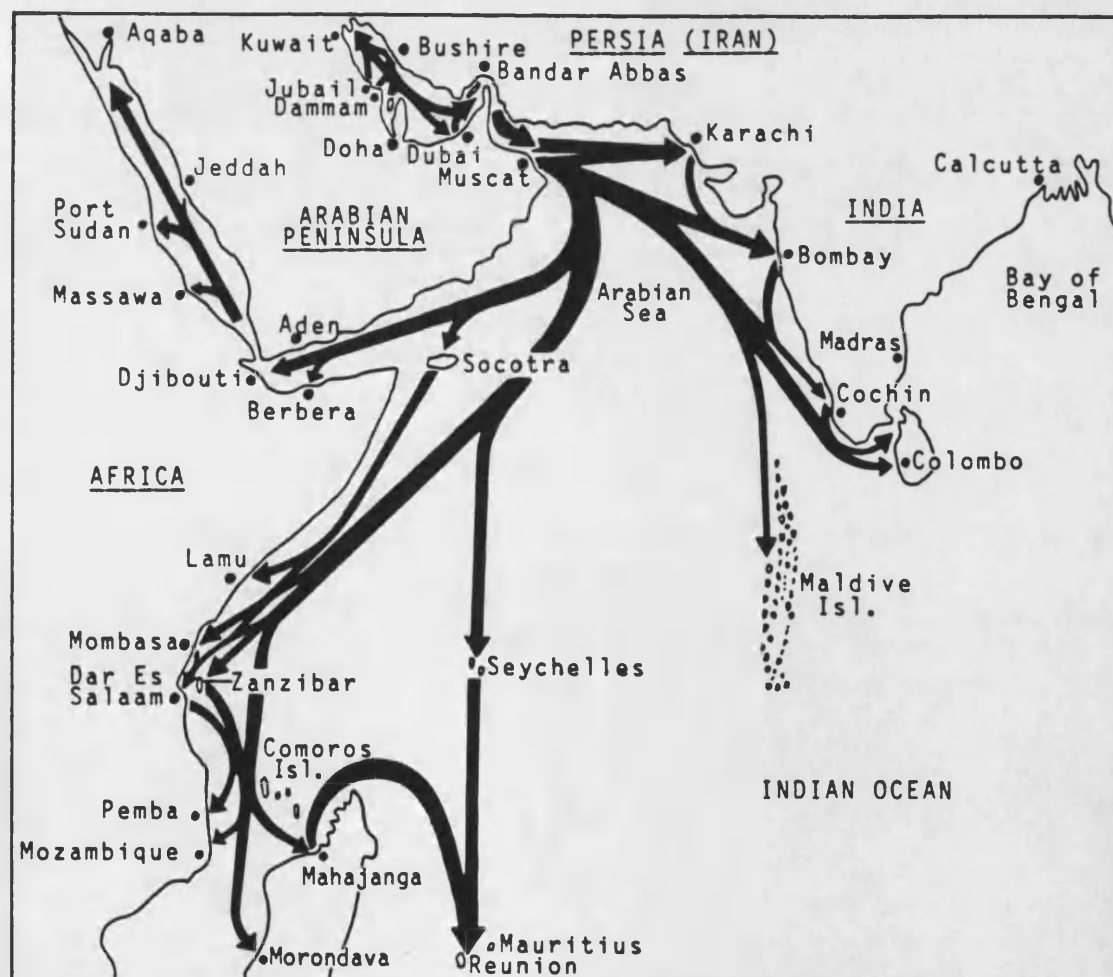


Table 2.2 Vessels Employed In The Persian Opium Trade.

baghlah	all are forms of Iranian dhows	kotia - Indian dhow form
boom		jahazi - Kenyan (Lamu) dhow form
mashua		mtepe - Kenyan sewn boat
sambuk		dau - Zanzibari dhow
boom - Arab dhow form		dau la mtepe - East African boat
lancha - Arabian fishing boat		shewe - similar to sambuk but of East African design
belem - Iraqi trading craft of Shatt-al-Arab		
Source: E. B. Martin & C. P. Martin, <u>Cargoes Of The East</u> (London: Elm Tree Books, 1978).		

2.5 The Early Twentieth Century

Throughout the first half of the 20th century the maritime trafficking of drugs continued but became more diversified. Heroin, morphine and cocaine, along with other newly developed narcotic and psychotropic substances, became prevalent drugs of abuse. Drug consumption was no longer an activity confined to a few states or regions but a world-wide phenomenon. Slowly, but surely, a global anti-drug doctrine began to form. Anti-drug laws were promulgated and counter-smuggling actions were instituted by several states. On the international level the League of Nations worked hard at developing international consensus on the issue and promoting international drug agreements. For a list of treaties concluded during this period the reader is directed to Appendix Table II. The net effect of all these developments was the affirmation of drug trafficking as an illicit enterprise. Because maritime commerce was the only means of effective and economic transport of commodities and passengers, both inter-regionally and intercontinentally, in the first half of the century, it was only natural and inevitable that drug trafficking by sea was rampant. However, compared to the volume of opium transported in the 19th century, the total quantity of drugs

smuggled by sea in the first half of the 20th century was relatively small. Table 2.3 summarizes the significant maritime trafficking routes of the mid-1920s based on seizure data.

Table 2.3 Principal Trafficking Routes By Sea In 1925.

Route (from) - (to)	Minimum Quantity Trafficked (kgs.)	Categories Of Drugs Trafficked In Percent (%)				
		Opium	Morphine	Heroin	Cocaine	Cannabis
China - Indonesia	49,593.7	100.0				
China - Singapore	9,758.8	99.9			0.1	
Belgium - Singapore	1,131.1		100.0			
Belgium - Cuba	600.7	100.0				
Israel - Egypt	583.3					100.0
Hong Kong - Australia	407.7	100.0				
India - Sri Lanka	352.3	96.8			3.2	
Japan - China	339.0	1.6	20.3	53.9	24.2	
Netherlands - China	304.8	100.0				
Netherlands - New York	280.6			56.7	43.3	
India - Burma	174.7	73.7			26.3	
Hong Kong - China	173.5		14.4	85.6		
Germany - China	133.3	97.7	2.3			
Germany - Canada	125.0	-----Unspecified-----				
Germany - Hong Kong	100.4		100.0			
Japan - Singapore	91.7		100.0			
China - Hong Kong	58.9	15.3	84.7			
Singapore - Australia	45.8	100.0				
Japan - India	45.3				100.0	
India - China	38.4	100.0				
China - India	33.7	95.8			4.2	
India - Mauritius	30.0	-----Unspecified-----				
Belgium - China	24.5		100.0			
Note: The quantitative figures presented are only seizure figures. It must be assumed that the actual figures were considerably higher - perhaps by a multiplicative factor of as high as 20. This does not, however, prevent the segregation of trafficking routes since the premise used is that the seized drugs and the facts surrounding their movement are a microcosm of the real situation.						

2.6 The Post-World War II Era

2.6.1 The Late 1940s

Opium remained the principal drug transported by sea followed, to a much lesser degree, by cannabis. Heroin and morphine ran a distant third and fourth respectively. However, bearing in mind the potency

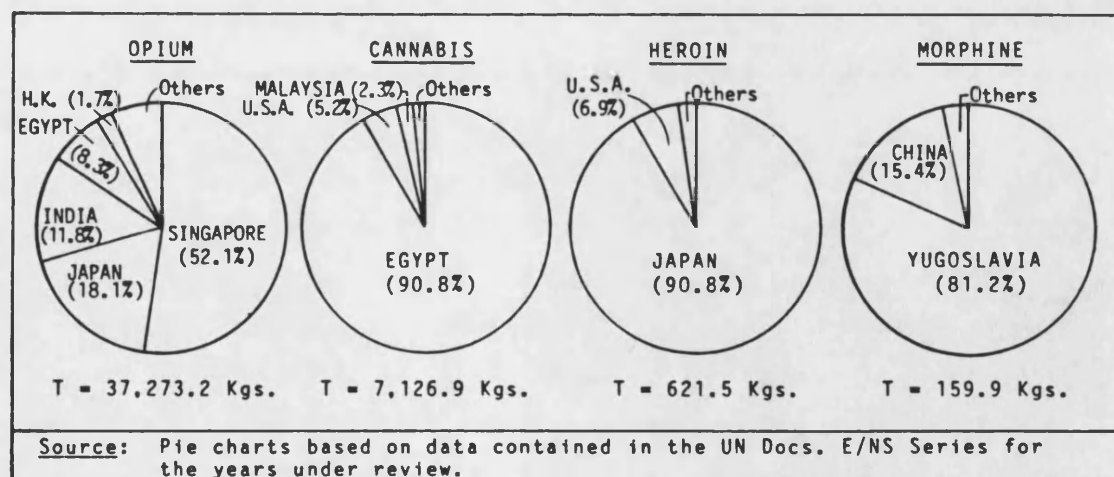
factor of the latter two drugs *vis-a-vis* opium and cannabis, it should be interpreted that the quantities shipped were substantial. Table 2.4 provides a statistical summary of maritime drug seizures for select years between 1922 - 1979. In the latter part of the 1940s during the

Table 2.4 Maritime Drug Seizures For Select Years, 1922 - 1979.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Opium (kgs.)	Morphine (kgs.)	Heroin (kgs.)	Others (kgs.)	Global Sums (kgs.)
1922	20.0	97.4	466.1	390.2	753.7	0	1,727.4
1923	0	33.4	5,539.7	703.7	525.8	87.8	6,890.4
1924	12.7	83.3	10,677.1	457.0	123.7	3.8	11,357.6
1925	598.9	326.0	57,949.1	1,504.9	430.4	5.5	60,874.8
1946	2,276.6	0.6	10,177.4	0.7	566.2	0	13,041.5
1947	699.9	0.9	3,879.6	130.7	5.5	21.1 (Cd)	4,737.7
1948	2,092.5	2.7	20,142.0	27.2	20.9	0	22,195.3
1949	2,147.9	8.7	3,074.2	1.3	8.9	0.8	5,241.8
1950	2,231.4	0.3	4,256.8	29.1	32.8	0.4	6,550.8
1951	1,805.9	0.1	2,852.6	19.3	36.2	0	4,714.1
1952	1,950.9	0.4	4,384.5	137.3	9.7	0	6,482.8
1953	749.9	0	2,507.1	57.9	34.9	0	3,349.8
1954	990.2	0.3	4,703.9	20.3	13.5	0	5,728.2
1955	827.9	0	4,607.3	16.3	30.0	0.2	5,481.7
1956	1,039.9	0	3,581.4	39.4	84.6	0.3	4,805.6
1957	455.8	0	9,648.9	143.0	66.3	0.9	10,314.9
1958*	118.6	2.3	3,899.7	51.9	20.6	0	4,093.1
1960*	304.3	0	2,912.0	241.8	34.0	0	3,492.1
1961	619.8	1.6	2,380.1	64.3	17.2	0	3,083.0
1962	750.5	5.8	6,369.3	61.2	55.9	0	7,242.7
1963	8,532.3	5.0	2,574.1	194.6	11.6	44.9 (B)	11,362.5
1971	3,271.7	2.5	54.2	362.6	270.2	0	3,961.2
1972	16,351.0	2.0	1,140.7	125.8	743.8	0	18,363.3
1973	38,296.6	53.1	7,236.9	311.2	64.2	36.0 (D)	45,998.0
1974	28,325.5	7.3	204.8	0.1	7.5	0.7 (S)	28,545.9
1975	51,846.1	60.8	5.6	0	4.9	1.2 (S)	51,918.6
1976	167,804.7	3.7	690.7	169.2	281.3	10.3 (S)	168,959.9
1977	583,659.4	3.1	113.9	3.2	27.0	691.3 (Me/S)	584,497.9
1978	1,720,531.6	90.7	119.1	0	52.1	1.9 (S)	1,720,795.3
1979	1,411,273.0	40.3	7,408.5	10.2	9.5	244.9 (D/P)	1,418,986.4
B = Barbitone Cd = Codeine D = Depressants Me = Methaqualone S = stimulants P = Other psychotropic substances							
* - Figures for these years are minimum figures due to incomplete data.							
Sources: Data for years 1922 - 1925 derived from LN Docs. O.C.294.1925.XI.1; O.C.294(a).1926.XI.2; & O.C.294(b)(1).1926.XI.2(a). Data for years 1946 - 1979 derived from UN Docs. B/NS Series for years 1946 - 1980 and USCG's <u>General Law Enforcement Digest of Interdiction Statistics</u> of 16 January 1987 (Washington, D.C.).							

years 1946 - 1949 a total of 45.2 m.ts. of illicit drugs were interdicted in the maritime sector. Of that total, opium accounted for 82.4% of all maritime seizures while cannabis accounted for an additional 15.8%. During that four-year period opium seizures averaged more than 9.3 m.ts. annually while cannabis seizures averaged nearly 1.8 m.ts. annually. Based on quantity confiscated Singapore was the principal state effecting maritime seizures followed by Egypt, Japan and India out of the 44 countries and territories reporting such confiscatures. Collectively, these four states accounted for 90.1% of all maritime drug seizures effected in the world during that period. However, when analysed by drug category it becomes evident that other countries and territories figured prominently in the maritime drug trade of the late 1940s. Figure 2.2 provides a categorical analysis of state involvement.

Figure 2.2 Principal States Effecting Maritime Drug Seizures By Drug Category In The Period 1946 - 1949.



2.6.2 The 1950s

Overall, the 1950s reflected a congruous state of affairs to that of the 1940s regarding the maritime trafficking of drugs. The primary change in the global trafficking scene was the emergence of the air sector as an important mode of drug transport. Consequently, as the volumes of drugs produced and trafficked grew, the maritime sector did not experience a commensurate increase in its role. In the early days of passenger and cargo carriage by air control at airports was neither the formalized nor sophisticated system which would evolve in later decades. This lax state of affairs permitted a fair amount of drug trafficking; the scope of which may only be speculated upon because successful shipments went undetected. However, extrapolation of data on the frequency of drug seizures effected from air transport indicate the role to have been large.

Opium and cannabis remained the principal drugs trafficked by sea followed distantly by morphine and heroin. In the period 1950 - 1958 a total of 51.5 m.ts. of illicit drugs were interdicted in the maritime sector. Opium accounted for 78.5% of all maritime seizures while cannabis accounted for 19.9%. However, in comparison to that of the late 1940s these percentages denote a perceptible change indicative of the decline in opium and rise in cannabis. The 3.9% drop in opium seizures was virtually wholly accounted for by the 4.1% increase in cannabis seizures. During the nine-year period opium seizures averaged nearly 4.5 m.ts. per annum while cannabis confiscatures averaged 1.1 m.ts. annually. In volumetric terms, Thailand, Singapore, Egypt and Hong Kong were the principal states effecting maritime drug seizures. Collectively, they accounted for 62.6% of all such seizures. Table 2.5

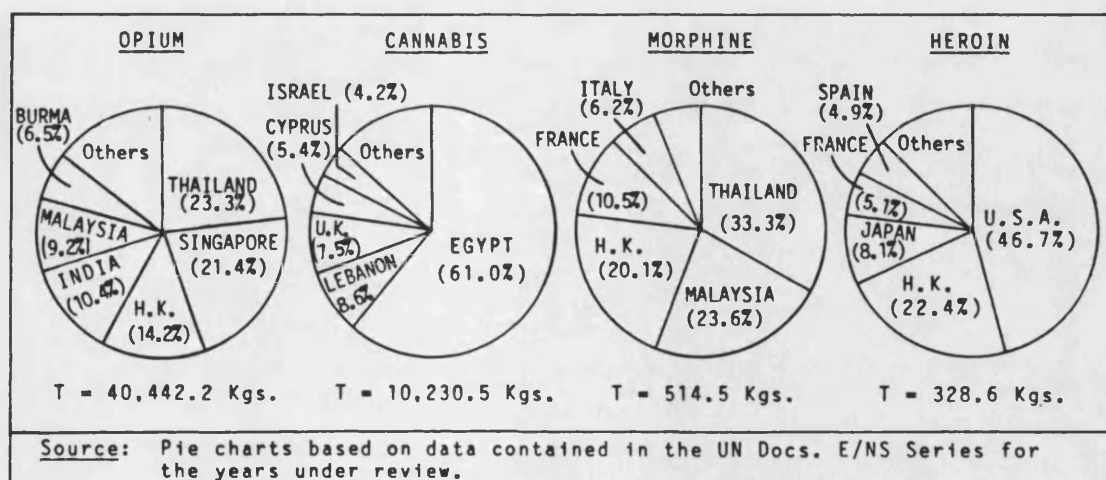
lists the top ten states effecting such seizures. When the same analysis is conducted based on the type of drug instead of a lump grouping a more diversified picture is elicited. Figure 2.3 presents the categorical analysis of maritime drug seizures. Rather expectantly, this categorical analysis yields a picture synonymous with the flow of drugs throughout the world. All the major states listed are either

Table 2.5 Principal States Effecting Maritime Drug Seizures, 1950-58.

State	Quantity (kgs.)	Percent Share	Cumulative Share
Thailand	9,610.5	18.7%	18.7%
Singapore	9,072.6	17.6%	36.3%
Egypt	7,607.9	14.8%	51.1%
Hong Kong	5,939.8	11.5%	62.6%
India	4,325.5	8.4%	71.0%
Malaysia	4,098.5	8.0%	79.0%
Burma	2,638.6	5.1%	84.1%
Lebanon	1,226.0	2.4%	86.5%
U.K.	986.0	1.9%	88.4%
S. Yemen	947.8	1.8%	90.2%
Remaining 49 States	5,067.8	9.8%	100.0%

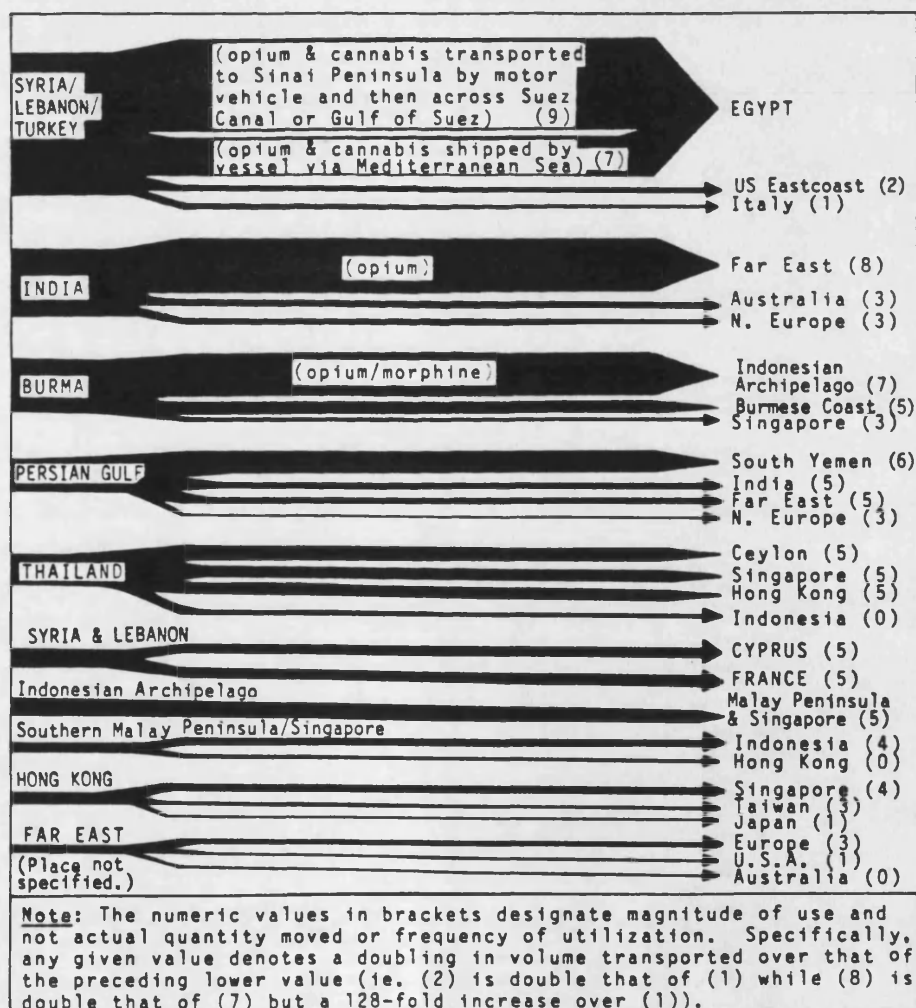
Sources: Data derived from UN Docs. E/NS. Series, 1950 - 1961.

Figure 2.3 Principal States Effecting Maritime Drug Seizures By Drug Category In The Period 1950 - 1958.



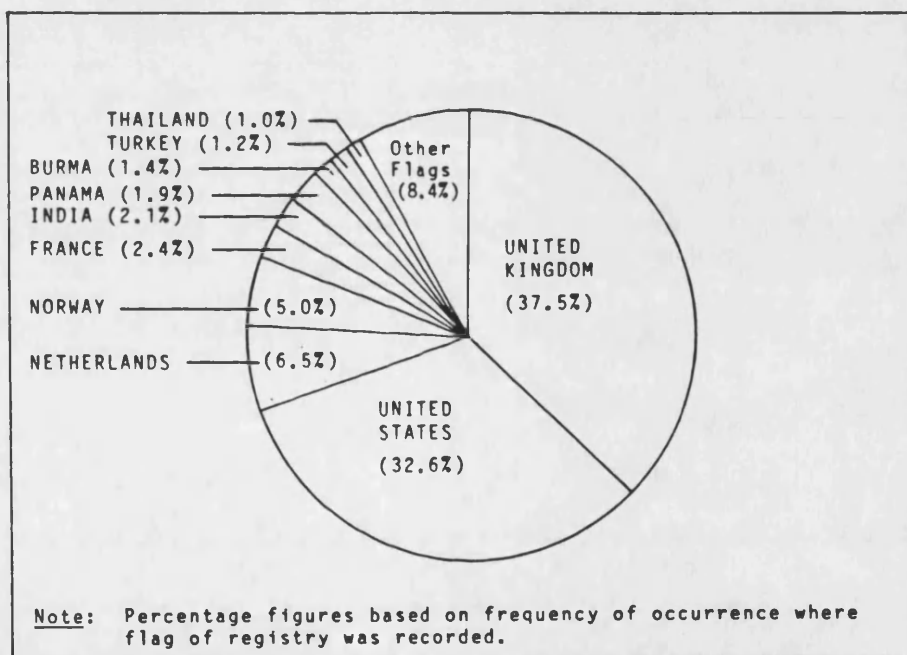
principal producers or refiners of drugs in the illicit trade, transit states or consumers of illicit drugs. The picture is further sharpened when a review of the principal flow paths of illicit drugs by sea is done. Though innumerable routes existed, the bulk of drugs trafficked by sea flowed along certain prescribed pathways. Basically, these select maritime routes constituted the trunk routes in the global flow matrix. Figure 2.4 depicts these routes in linear schematic form.

Figure 2.4 Trunk Routes In The Illicit Drug Trade By Sea, 1950 - 1958.



In regards to vessel nationality it is observed that the majority of commercial shipping carrying illicit drugs belonged to states which, in some way, were connected directly or indirectly to the origin and production sites of illicit drugs. This meant that the principal flag states involved in drug trafficking were either colonial powers or states reliant on shipping for commerce and revenue generation. As Figure 2.5 shows, the five principal states were the U.K., the U.S.A.,

Figure 2.5 Principal Flag States Involved In Drug Smuggling, 1950-58.



the Netherlands, Norway and France. Further substantiating the point about an element of association being extant between the vessel flag and sources of drugs were the next five flags of registry found involved. Four of them were principal drug producing countries while the fifth was a flag-of-convenience. Considering the economic and political situation of the decade and the fact that the 1950s was the final decade of expan-

sive dominion it was hardly surprising that the five principal flags of registry were the ones noted. An analysis of the British, Dutch and French vessels involved shows a clear correlation between the seizure of drugs thereon, the routes plied and the extensiveness of the flag states' possessions. The dominant presence these three states had in the Far East, Middle East, Caribbean and throughout Africa ensured the prolific roles their merchant fleets played in the maritime drug trade. The high degree of involvement by the US merchant fleet was based on a congruous but contrived and short-lived predicament. The extensive role of the American fleet in drug trafficking in a century that was otherwise marked by its decline in prominence was largely the by-product of the occupation and reconstruction period in Europe and Japan. To support the occupation forces, transport materials and supplies in large quantities for reconstruction and sustain the adjunct logistical aspects supportive of these activities the US fleet obtained much needed employment. Norway's prominent role resulted from its status as a cross-trading nation. In effect, Norway practised a form of shipping colonialism. The country maintained a large fleet, operated it between countries needing transport units and earned substantial revenue from its maritime enterprise. The basis for Norway's success was because it provided an alternative transportation service for countries wary of the colonial powers. Inherently, it meant that Norwegian ships became involved in drug trafficking on a scale proportional to their fleet's pervasive presence in world commerce. This was clearly evidenced in the Far East and Southeast Asia, notably in ports in Malaysia and Singapore, where Norwegian ships were often found to be carrying drug shipments both inbound and outbound from these states and in transit. In closing

this analysis one last point needs mentioning. The pie chart in Figure 2.5 does not, for the most part, include the flags of private vessels. This is because little data was collected regarding their roles. As a consequence, there is no viable basis by which to construct an analysis of their flags.

2.7 Genesis Of The Modern Trafficking Scene

2.7.1 The 1960s

The 1960s saw a change both in the attitude towards and use of narcotic drugs and psychotropic substances, particularly in the U.S., Canada and select states in Western Europe. The latter part of the decade and the first half of the 1970s was figuratively referred to as the "Psychedelic Period" because of the prevalent use of highly hallucinogenic substances. Heroin became the mainstay drug of that scene. Other substances inclusive of LSD, mescaline and powerful stimulants emerged as potent drugs widely used and abused amongst those within the drug subculture. Cannabis occupied a lower but more expansive niche in the drug subculture because of its milder effects and resultant widespread use by individuals desiring to be, or at least appear to be, part of the contemporary scene, but wary of injuring themselves. Though many reasons and factors are cited as the bases for the radical change and prolific growth in the use of illicit drugs the general cause was discontent amongst the young generation²⁴ which induced rebellion in ideals and perspectives on their part *vis-a-vis* ongoing current events. A peculiar metamorphosis resulting from the misguided and naive interpretation of fundamental ideals centering on civil rights, personal privacy, political integrity and freedom of expression led to the con-

ceptual manifestation of "doing your own thing." Though sociologists and psychologists will say that throughout history there has been a generation gap between young and old it was not until this point in time that the anti-establishment doctrine assumed new meaning by embracing more extreme tenets and forms of physical expression. In the U.S. the Vietnam War (1964 - 1975) quickly became a controversial socio-political issue receiving widespread attention and disaffection amongst the young generation. Though it would not become apparent till a decade later the U.S.'s involvement in Southeast Asia contributed greatly to the subsequent global pattern of illicit drug production and flow routes. The presence of American military personnel in Vietnam combined with a rather decadent atmosphere therein promoted the cultivation of cannabis and opium and synthesis of morphine and heroin in Southeast Asia to support that market. In essence, the production of these drugs in Burma, Laos and Thailand was propelled upwards to higher levels of magnitude hithertill unknown and, prior to then, untenable in market terms. The vacuum created by the US withdrawal from Vietnam forced the drug suppliers to expand their trafficking into the international market on a much larger scale in order to sustain their illegitimate enterprises.

Canada's involvement in the 1960s drug scene stemmed largely from its neighbouring position with the U.S. and similar cultural structure. While not plagued by the turbulent politics of its southern neighbour the Canadian society simply could not avoid the transposition of the American drug subculture and assimilation of it by the young generation in some areas of the country. Consequently, the trends evolving in the U.S. regarding drugs were repeated in Canada. The fact that the problem was never as severe was merely the result of Canada's smaller population

base and demographic distribution. Within Europe it was France, the Netherlands, Sweden, the U.K. and West Germany which saw similar developments regarding their respective drug subcultures. It is not coincidence that several of these states associate the origins of their modern drug problems with the mid to late 1960s. Furthermore, it was not coincidence that these countries saw the problem simultaneously materialize as it did at that time. They represented the portion of European society most cosmopolitan and thus lacking the cultural insularity and cohesiveness common to other select European states. Essentially, they were predisposed to change. Though the basis for drug use in Europe was that cited earlier, the socio-political factors nurturing it were somewhat different. There was no European equivalent to the U.S.'s Vietnam crisis around which the young could easily muster their rebellion though they included the Vietnam War under their banner of issues to be repudiated. Instead, it was the internal constraints placed on the young generation in Europe by the old and rather stagnant regimes, social systems and conventions of culture which triggered rebelliousness. The unreceptiveness and incapability of these structures to cope with the inevitable and then emerging liberalization of ideals, perspectives and values essentially foresaw and ensured the socio-cultural insurrection. In simple terms, the inflexibility of the *in situ* social structure to understand the changes merely aggravated the anti-conformity behaviour projected by the young. One of the principal ways in which the revolt manifested itself was via the increased consumption of drugs and concomitant experimentation with new substances as an expression of repudiation of old values. However, in ending this analysis it has to be understood that though the operative factors in-

volved were somewhat different from those factors provoking the North American situation they were not exclusive to the European states cited: Arguments can be made that many of the factors attributed as causative of one state's problem were also instigative, either directly or indirectly, of the drug problem found in another state. Consequently, the resultant drug scene of the 1960s and early 1970s afflicting the Western developed states possessed a common origin and purpose. Moreover, it was only an inevitable and natural aspect of progressiveness that drug use would attain greater magnitude in these states.

The maritime trafficking of drugs remained in a subdued state partly as a result of the increased role of aircraft for drug carriage and partly because of the shift in emphasis on drugs consumed. Overall, opium and cannabis remained the principal drugs transported by sea followed by morphine, heroin and barbitone. Unfortunately, incompleteness in the data provided by states to the CND led to a deterioration in the global data base for the latter half of the 1960s. Hence, the quantitative data presented here applies only for the first half of the decade. Limited qualitative description based on national reports and intelligence information is used to indicate the trends in those later years. For the four-year period 1960 - 1963 opium seizures from the maritime sector averaged over 3.5 m.ts. annually and accounted for 56.5% of all maritime confiscatures. Cannabis continued to gain on opium as clearly evidenced in the seizure statistics. Its share jumped to 40.5% of total maritime seizures and the quantity confiscated annually rose to an average of 2.5 m.ts. In the late 1960s cannabis finally eclipsed opium as the principal drug trafficked by sea. The emphasis on hard drugs and cannabis in Western society in the late 1960s combined with the con-

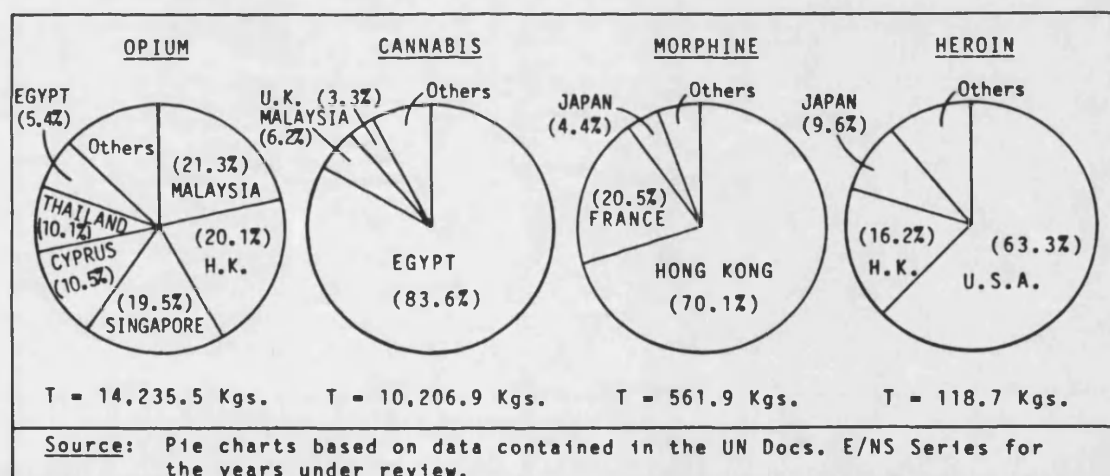
tinual decrease in the consumption of raw and prepared opium elsewhere assured this denouement. However, it must not be construed that actual opium production fell for it did not. In reality, larger amounts of it were being synthesized into the higher derivative forms. This was evidenced by the growth in morphine and barbitone seizures and increasing revelations coming to light concerning Turkey's prominent role as a source country for substantial amounts of the opiate derivatives found in Europe and North America. In the four-year period 1960 - 1963 the total quantity of morphine seized from the maritime sector exceeded the total amount confiscated in the nine-year period referenced for the 1950s. In the case of barbitone actual seizures were small with the largest ones in the hundreds of tons and effected in the late 1960s. Heroin continued to be shipped by sea but it is believed that the air sector assumed greater significance as a means of transport. The two principal locations of maritime heroin smuggling were the 'French Connection' route, involving Turkish opiate products exported to the eastcoast of North America, and the Far East involving Southeast Asian opiate products. In the first half of the 1960s the principal states effecting maritime drug seizures were Egypt, Malaysia, Hong Kong and Singapore. Of the 44 states and territories reporting maritime seizures these four states accounted for 76.3% of the total quantity confiscated. Table 2.6 presents the top ten states effecting maritime drug seizures in the period 1960 - 1963. As to be expected these ten states were all either major producers, consumers or transit states. An analysis by drug category further elucidates on their importance relative to specific trades. Figure 2.6 presents the categorical analysis of maritime drug seizures. Though not presented here, an analysis of the

Table 2.6 Principal States Effecting Maritime Drug Seizures, 1960-63.

State	Quantity (kgs.)	Percent Share	Cumulative Share
Egypt	9,300.1	36.9%	36.9%
Malaysia	3,670.3	14.6%	51.5%
Hong Kong	3,317.1	13.2%	64.7%
Singapore	2,918.9	11.6%	76.3%
Cyprus	1,500.0	6.0%	82.3%
Thailand	1,452.8	5.8%	88.1%
India	664.9	2.6%	90.7%
U.K.	479.3	1.9%	92.6%
Cambodia	450.0	1.8%	94.4%
Lebanon	292.8	1.2%	95.6%
Remaining 34 States	1,134.1	4.4%	100.0%

Sources: Data derived from UN Docs. E/NS Series, 1960 - 1965.

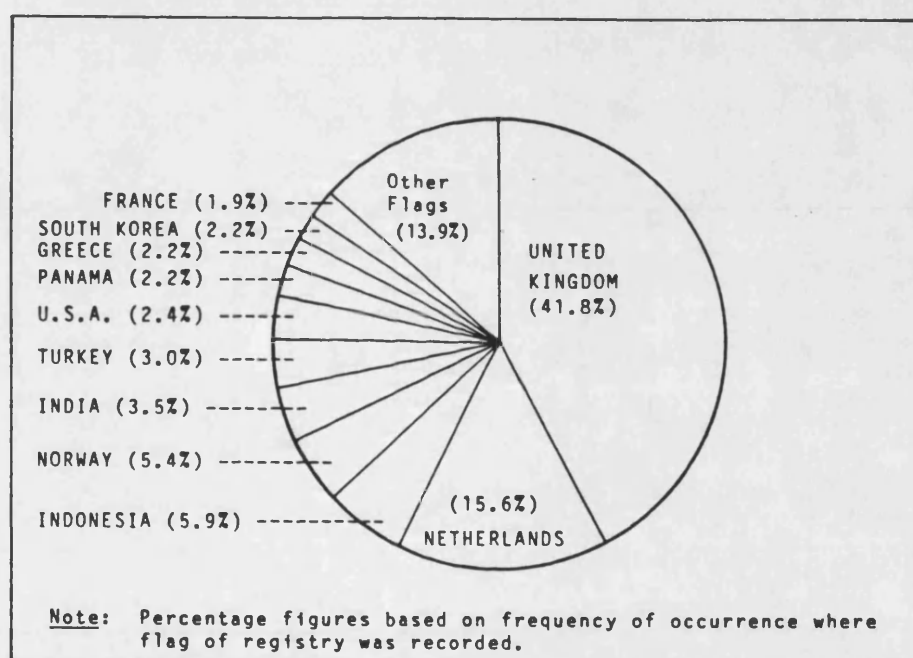
Figure 2.6 Principal States Effecting Maritime Drug Seizures By Drug Category In The Period 1960 - 1963.



trunk routes for illicit drugs transported by sea in the 1960s reveals a picture congruous to that portrayed for the 1950s. In other words, the status quo was, with minor alteration, maintained. The large quantities of opium and cannabis moving by sea on the traditional routes offset any marginal increase there may have been in the quantity of hard drugs

transported by sea in the latter half of the decade. Apropos the principal flags of registry involved there were some abrupt changes. Figure 2.7 denotes the major vessel flags involved. The U.K. retained its top position even though more of its colonies gained independence. The close relations maintained by the U.K. with its former colonies combined with the latters' lack of fleets ensured the continued employment of

Figure 2.7 Principal Flag States Involved In Drug Smuggling, 1962-64.



British flag carriers. Contrastingly, the U.S. dropped out of the top five grouping denoted for the 1950s. This was to be anticipated considering that the period of high employment for US flag vessels had come to an end. The decline in American involvement overseas terminated some of the grounds on which US flag carriers had justified their participation in world commerce. This development, in turn, resulted in a decrease in availability of US flag carriers for drug trafficking. The

increased share of participation by Dutch flag carriers reflected in part the demise of US involvement in trade, but also the gradual conversion of the Dutch fleet's role to one of cross-trading. Similar to the post-colonial experience of the U.K., the independence of Indonesia from the Netherlands did not mean the rapid demise of the Dutch presence in the Far East. The appearance of the Indonesian flag in drug trafficking was to be expected, particularly as the country needed a merchant fleet to sustain linkages throughout the many islands of the archipelago. Indonesian vessels incurred the same exposure to trafficking opportunities as had their Dutch predecessors; undoubtedly, the only difference being that the degree of vigilance for drugs and scrupulosity maintained by Indonesian crews were considerably less than that projected by the Dutch mariners and operators. This fact combined with the high volume of drug trafficking in the region meant it was inevitable that Indonesian flag carriers were to become involved in the illicit drug trade. The slow but perceptible growth in the roles of the Indian, Turkish and Panamanian flags in maritime drug smuggling was also predictable for the reasons noted earlier in context with the previous decade. The first two represented major drug producers. The latter was a flag-of-convenience and, in terms of shipping economics, was becoming increasingly prevalent in commerce throughout the world. Consequently, its proportional rise in involvement in drug trafficking was normal. It should also be borne in mind that the Panamanian flag represented, to a fair degree, the U.S.'s continued participation in international shipping in that American interests and business entities were behind many of the Panamanian companies.

2.7.2 The 1970s

The social, cultural and political factors dictating the drug scene in the first part of the decade were summed up in the review given for the late 1960s. The later years of the 1970s saw another change in the overall social setting in the Western states which further reshaped the drug subculture. The earlier conflict in ideals, perspectives and values partially resolved itself by yielding to moderation in and integration of the opposing viewpoints and tenets. By the late 1970s a fair degree of permissiveness had become manifest in Western society and constituted an acceptable dimension of their culture. Concurrently, there was a move within the drug subculture away from some of the hard psychotropic substances which had been so fashionable in the "Psychedelic Period." To a fair extent, this was because there was no longer a need for the radical expressions of anti-conformitism and anti-establishmentarianism once the 'victory' had been obtained and the pertinent socio-political barriers and factors either destroyed or overcome. The Vietnam War had ended and European society had shed much of the stagnancy deemed stifling by embarking on a new course of openness, tolerance and less social convention. For the illicit drug users this meant a re-emphasis on traditional drugs, but also a receptiveness for substances which were new and could be seen as in vogue with the contemporary social scene then extant. Resultantly, there was an explosion in the consumption of cannabis along with a surge in the use of heroin. Cocaine use, which had languished in what may be called a backwater position in the drug milieu for the past three decades, re-emerged dramatically with consumption increasing geometrically in the later years of the decade. Conversely, morphine use declined con-

siderably because of the primacy of heroin. The INCB noted in their annual report for 1979 that there had "been no significant traffic in morphine" for a number of years in the 1970s.²⁵ The significance of these trends was in their affect on the global pattern of drug trafficking, particularly the maritime component. A restructuring of old routes and matrices transpired accompanied by the development of new ones thus creating a new global pattern which, with some minor alterations, remains extant today. In the U.S. during the late 1970s the rate of increase in cannabis consumption was of gargantuan proportions with each year showing massive growth over the prior one on a logarithmic scale outstripping that of any other country. The hithertill lesser amounts consumed became wholly inadequate hence creating demand for additional sources. Colombia and Thailand became new major suppliers of cannabis to North America while Jamaica, Lebanon, Mexico and Morocco, which had been the existing external suppliers, attained even greater importance as source areas. The same developments occurred in Europe with the roles of Lebanon and Morocco as major suppliers greatly enhanced. However, diversification in sources developed with Colombia, Pakistan, Jamaica and West Africa gaining noteworthy shares in the European cannabis market; the latter two becoming significant suppliers to the U.K.

Heroin consumption likewise grew to new heights but not with the magnitude observed in cannabis growth; the potency factor being the basis for less volumetric consumption. A major factor inducing the reshaping of the global heroin routes was the temporary success of the Western states in pressuring Turkey to totally ban opium production in 1971. The basis for the pressure applied on Turkey resulted from the

shared view of many Western states that it was responsible for much of the heroin found in their illicit drug markets. While this was reasonably true, it was unrealistic to fault Turkey for the heroin problem much less expect the problem to be solved through the implementation of a ban on poppy cultivation in that state. The net effect of the ban was to impel other cultivation areas in the world to dramatically enhance opium production and distribution to fill the void created by the withdrawal of Turkey. In a short period, figuratively analogous to virtually overnight, Mexico became one of the world's new major heroin producers with virtually all its product being absorbed by the US market.²⁶ Mexico had been producing minimal amounts of opium since the 1920s as a result of its introduction by Chinese opium smokers emigrating there from the U.S. However, the global heroin market extant hithertill had precluded Mexico's role from being something other than negligible. Another region benefiting from the Turkish ban was the adjacent region of Southwest Asia encompassing Afghanistan, Iran and Pakistan. Dramatic increases in these states' production levels occurred between that found in the early 1970s and that observed in the last few years of the decade. Iranian opium production increased from 8 m.ts. per annum to 305 m.ts. annually and Pakistani production increased from about 175 m.ts. per annum to over 800 m.ts. annually.²⁷ Though these states had always produced opium to support both their domestic user populations and their shares in the overseas opiate markets, the Turkish ban provided an entirely new basis by which their production could be sustained and enhanced.²⁸ The scenario just described regarding the Southwest Asian sources also applied for the Southeast Asian sources. The void created by the Turkish ban granted them an open in-

ternational market in drugs which was easily penetrated on a large scale. Though it was pointed out that the Vietnam War induced expansion in the production of Southeast Asian heroin the amount actually exported to the U.S. comprised only a minor share of the overall US heroin market in the late 1970s. However, for Canada and select countries in Europe like France and the Netherlands the Southeast Asian source became very significant. The more important legacy of the Vietnam War was its introduction of heroin consumption within Southeast Asia thus creating a high level of intra-regional demand for the drug. An estimated 500,000 heroin addicts are thought to have existed at the time of the American withdrawal from Vietnam.²⁹ This granted the Southeast Asian traffickers diverse options for distributing their heroin either within the region or westward to Europe or eastward to North America. Relatively speaking, the restructured pattern of global heroin trafficking just described for the late 1970s has remained so into the 1980s.

Cocaine, like heroin, is a drug of high potency and high unitized value. Consequently, the volume of it trafficked was minor compared to cannabis. Air transport was the popular and preferred transportation mode. However, the growth in illicit cocaine consumption and continuing improvements in airport control impelled the involvement of the maritime sector on a gradually increasing scale. Because cocaine use on an extensive level originated in the U.S. and, relatively speaking, remained an American phenomenon throughout the 1970s, the global trafficking scene was basically one of northward movement from the South American source states to North America with all states in-between constituting plausible transit sites.

Aside from the drugs analysed above it should be noted that other

substances did appear on the drug scene, some of which were frequently shipped by sea, and in quantities which could not be construed as negligible considering their potency. Depressants, notably methaqualone, were often transported via the maritime sector; the principal destinations being the U.S.A., Egypt and other countries in Africa. Also, stimulants like amphetamine and methamphetamine were being diverted from licit stocks and shipped by sea to distant consumption sites. The sources for many of these substances were the pharmaceutical industries in the European states.

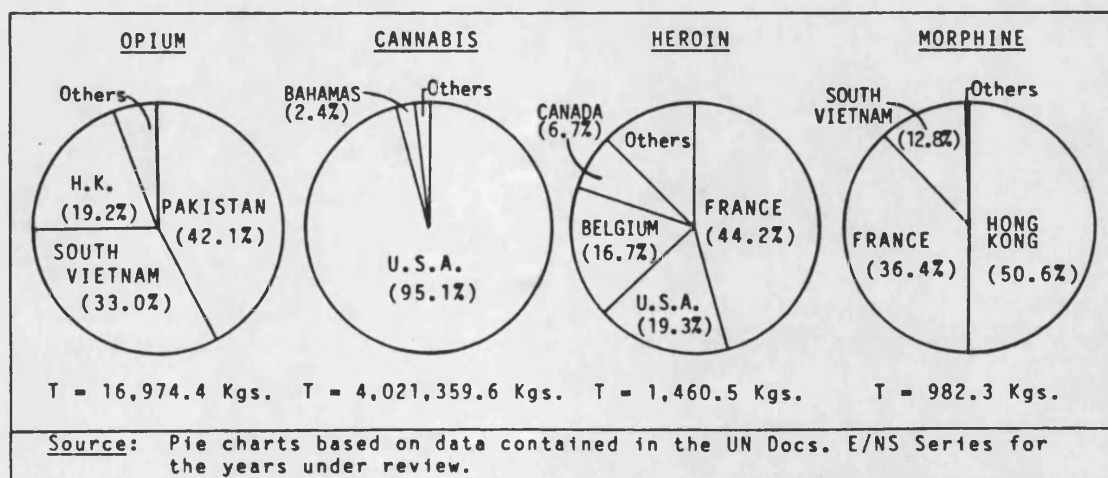
The volume of cannabis shipped by sea exceeded that of all the other drug categories combined such that for the 1970s as a whole it accounted for 99.5% of the total quantity of drugs interdicted in the maritime sector. The majority of cannabis seized from the seaborne modes was intercepted in the latter half of the decade and involved marijuana being shipped from Colombia, Jamaica and Mexico to the U.S. primarily and Canada second. Cannabis confiscatures in the period 1971 - 1975 averaged 27.6 m.ts. annually while for the next four years it averaged 970.8 m.ts. annually - a 35-fold increase. In comparison, opium seizures averaged only 1.9 m.ts. annually for the entire nine-year period and accounted for a mere 0.4% of the total quantity of drugs seized from the maritime sector. All the remaining categories of illicit drugs interdicted in the maritime sector collectively accounted for a fractional 0.1% of the total with heroin, morphine and methaqualone being the pertinent drugs of confiscature. In relation to the total quantity of drugs seized in the world for the years 1976 - 1979 the maritime sector accounted for just over 21%. However, this figure is misleading. When the portion of illicit drugs confiscated at

source, either being cultivated or manufactured, are discounted - in other words, the quantity which had yet to enter the trafficking stage - the figure nearly triples and for cannabis alone more than quadruples. Of the 45 states and territories reporting maritime drug seizures in the 1970s the U.S. and the Bahamas together accounted for 97% of the total quantity interdicted in the maritime sector. Table 2.7 lists the top seven states effecting maritime drug seizures while Figure 2.8 presents the analysis of state seizures by drug category. As to be expected, the

Table 2.7 Principal States Effecting Maritime Drug Seizures, 1971-79.

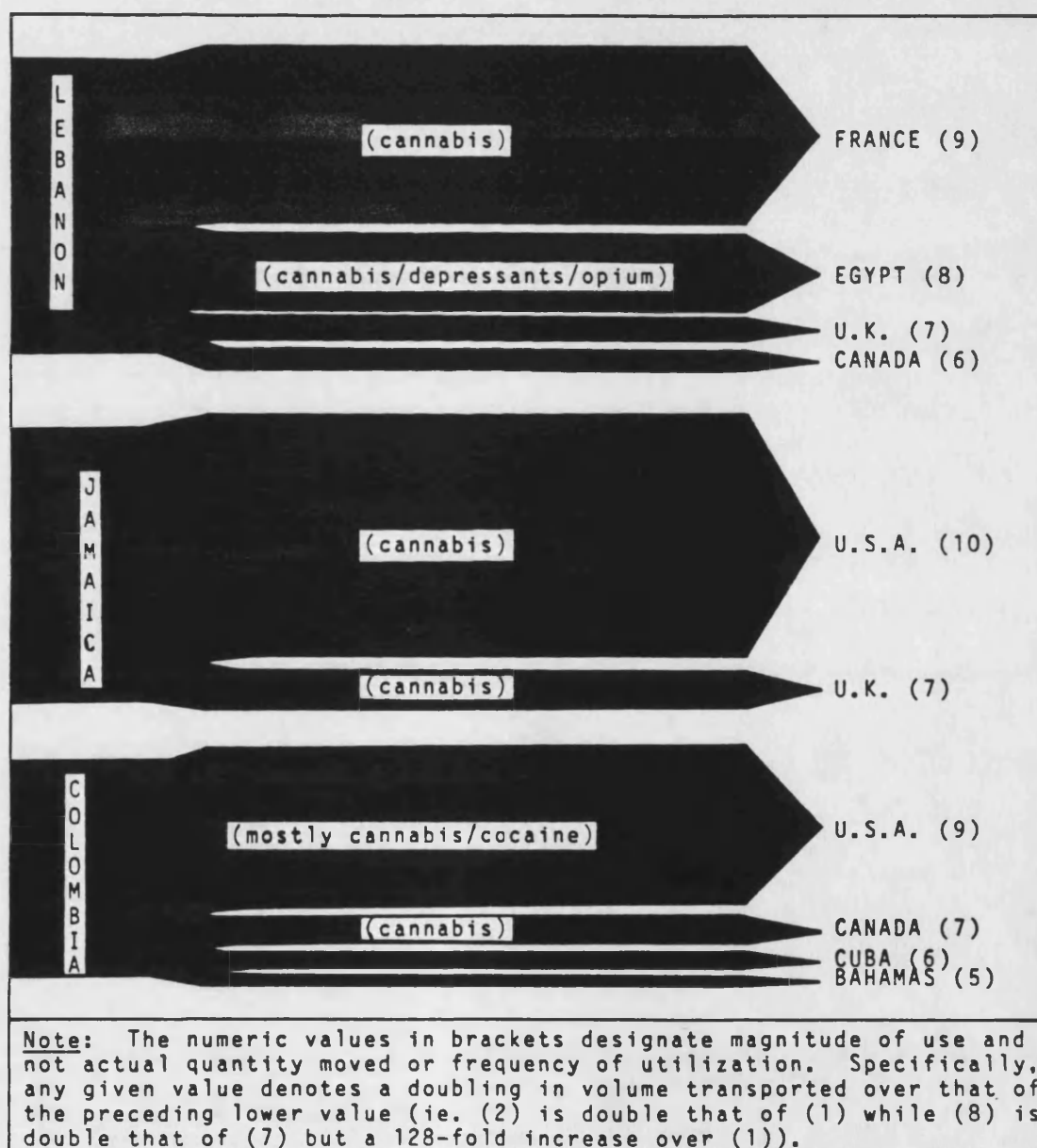
State	Quantity (kgs.)	Percent Share	Cumulative Share
U.S.A.	3,824,947.6	94.6%	94.6%
Bahamas	94,445.5	2.4%	97.0%
U.K.	21,571.4	0.5%	97.5%
France	18,899.0	0.5%	98.0%
Greece	17,337.0	0.4%	98.4%
Canada	13,072.7	0.3%	98.7%
Egypt	10,255.4	0.3%	99.0%
Remaining 38 States	41,498.0	1.0%	100.0%
Sources: Data derived from UN Docs. E/NS Series, 1971 - 1981 as modified/verified by national drug reports.			

Figure 2.8 Principal States Effecting Maritime Drug Seizures By Drug Category In The Period 1971 - 1979.



changes in drug production and usage brought on in the late 1960s and 1970s inherently meant that the pattern of drug trafficking for the decade also showed alteration. Figure 2.9 depicts the major trunk routes of the maritime drug trade in the 1970s. As is seen, the picture

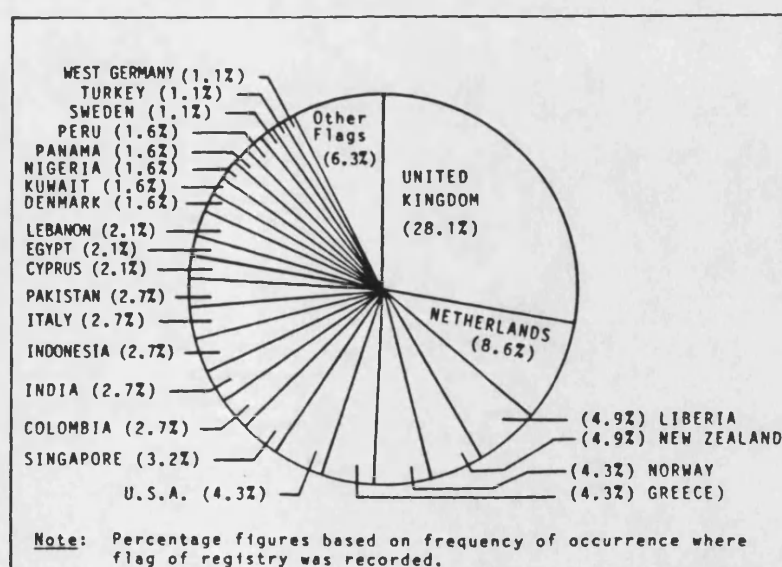
Figure 2.9 Trunk Routes In The Illicit Drug Trade By Sea, 1971 - 1979.



of trafficking dually reflects the continuance of select traditional patterns of drug trafficking by sea fused with new routes resulting from the changes in consumption trends.

An analysis of vessel nationalities involved in drug trafficking in the 1970s shows a radically altered picture from that of previous decades. Figure 2.10 portrays the involvement of the various flag states. As with before, the piechart predominantly depicts the role of merchant fleets and little of the private vessel component. To a fair extent, it may be said that the diversification in flags of registry involved in drug trafficking reflected a broader trend simultaneously occurring in world shipping. The proliferation in new flags reflected the escalating integration in shipping by new states following independence. Correspondingly, the decline in the eminent roles of the colonial powers and cross-traders denoted their displacement by the newcomers. Interestingly, the flags-of-convenience did not attain roles of involve-

Figure 2.10 Principal Flag States Involved In Drug Smuggling, 1971-79.



ment proportional to their positions of dominance in the world registry list, as measured by tonnage, though some gain was noted. However, the anomaly is explained by the fact that much of the shipping on which illicit drugs were smuggled involved carriers of the liner category. In comparison to the tramp operators, the vessels of this category comprised a larger percent of the world fleet not under flags-of-convenience. Their regularity in schedule, routes traversed and ports served coupled with cargo shipment methods suitable for concealing drugs within made them attractive and reliable transport modes. Conversely, the bulk carriers, tankers and other vessels in the tramp category, which accounted for most of the flag-of-convenience tonnage, generally did not figure prominently in the illicit drug trade. The very nature of their operation was, for the most part, simply ill-suited for such activity. Except in the cases of lengthy time charters involving fixed routes there was little consistency in the routes plied by tramp vessels and the cargoes carried were inappropriate for concealing drug consignments within. Moreover, the ports they often served were either distant from the intended destinations of drug shipments in some states or the infrastructure of the port made it difficult to land the drugs. In the trafficking context, the piechart in Figure 2.10 shows clearly a positive correlation between vessel nationality and the role drugs played in the respective flag states. Ignoring some of the flags-of-convenience it is observed that nearly every other flag represented in Figure 2.10 was that of either a principal drug producer, significant consumer, important transit state or cross-trading nation. The continuing large role of the British flag which, at first glance, would seem to contradict what has been said was in actuality not that odd. The British

merchant fleet was one of the top ten fleets in the world at the time, based on tonnage, with a large portion of its fleet composed of ships operated in the liner capacity. The basis for the large fleet was three-fold: first, the high level of the U.K.'s foreign trade generated sufficient volume to warrant a large fleet; secondly, a fair share of affinity continued to be maintained between the former colonial power and its former colonies thus permitting the British fleet to involve itself in the latter's commerce; and, thirdly, a consequence of the second factor was that the British fleet became something of a cross-trading one. Combined, these factors meant that the British fleet sustained a high profile, particularly in regions where illicit drugs were produced and extensively trafficked. Resultantly, it was vulnerable to utilization in drug smuggling. Of the top five flags involved, the continuing roles of Norway and the Netherlands reflected their sustained status as cross-trading states though in the latter's case the development of Europort in Rotterdam undoubtedly contributed to the Dutch fleet's higher profile in world shipping. The Liberian flag's share of involvement reflected its widespread use as a flag-of-convenience. Though a considerable amount of tanker tonnage was under Liberian registry so were a number of other types of vessels; some of which operated in the liner capacity while others were small vessels expressly acquired for drug trafficking. Relative to all the rationalization proffered so far the appearance of New Zealand's flag in the top five is a mutation which cannot be readily explained. Statistically, it occurred and since frequency in incidence is the measuring unit it is assumed that New Zealand's close commercial links with Australia, the Far East and Southeast Asia meant its merchant fleet was exposed to increased opportuni-

ties for drug trafficking associated with many of the states therein.

Though the above analysis reviewed the flags of commercial shipping found involved in drug smuggling it must not be construed that private vessels had only a minor role. The 1970s marked the rise in the long-haul carriage of illicit drugs by private craft. The increasing amounts of drugs to be shipped, notably cannabis, combined with the constraints that commercial shipping posed on such carriage nurtured the rise in use of private vessels to transport drugs large distances. The U.S. was one of the premier focal points of such activity but little is known about the flags of the craft utilized. Another prime example was the dhow trade in the Persian Gulf and Arabian Sea. During the 1970s dhows often engaged in drug smuggling between points in southern Asia, the Arabian Peninsula and East Africa. Indian dhows transported hashish from India to the Rufiji Delta in Tanzania where it would be exchanged for ivory.³⁰ Another common route involved Dubaian manjis which carried gold from the U.A.E. to India and Pakistan and returned with hashish and opium.³¹ Manjis were fast dhows designed and equipped to outrun patrol craft and, generally, could make the 1,200-n.m. voyage (one-way) in 5 - 6 days.³² The secrecy surrounding the dhow trade not to mention lacklustre efforts of some of the regional law enforcement agencies to recognize and combat the activity precluded the procurement of any credible statistics on the trade. What is certain is that the value of the trade was in the millions of dollars and it constituted the most important form of commerce, licit or illicit, in the western Indian Ocean.³³ Figure 2.11 shows the positive correlation between distance and unitized value of the opium trafficked by dhows in the mid-1970s. A third region seeing a high degree of drug smuggling involving private

craft was Southeast Asia, notably amongst the Indonesian and Philippine archipelagos. However, as noted for the U.S., there was little data gathered on the nationality of the private vessels involved by which one can generate viable statistics.

Figure 2.11 Prices For Southwest Asian Opium Delivered By Dhow To The Persian Gulf In The Mid-1970s.

INDIA & ----->			
PAKISTAN ----->	DUBAI ----->	KUWAIT ----->	EGYPT ----->
(Base Price)	(\$72/kg.)	(\$200/kg.)	(\$3,000/kg.)
[\$5 - \$15/kg.]			
Note: \$ = United States Dollars (1977)			
Source: E. B. Martin & C. P. Martin, <u>Cargoes Of The East</u> (London, Elm Tree Books, 1978), p. 187.			

Notes And References For Chapter II.

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3. A. B. Lubbock, The Opium Clippers (Glasgow: Brown, Son & Ferguson, 1933), p. 28.
4. H. J. Anslinger & W. F. Tompkins, The Traffic In Narcotics (New York: Funk & Wagnalls, 1953), p. 3.
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9. S. E. Morison, The Maritime History Of Massachusetts 1783 - 1860 (Boston: Houghton Mifflin, 1921), p. 277.
10. A total of \$14,578,000.00 worth of opium was imported to China of which Smyrna opium accounted for \$578,000.00 (3.96%) while Indian opium accounted for the remaining \$14,000,000.00 (96.04%). (Ibid.)
11. A. B. Lubbock, op. cit., p. 338.
12. Ibid, p. 339.
13. Ibid, pp. 238-240.
14. See for example: A. B. Lubbock, op. cit. and F. S. Turner, British Opium Policy (London: Sampson Low, Marston, Searle & Rivington, 1876).
15. 30 BFSP 389
16. 50 BFSP 10
17. Examples include the following bilateral and trilateral treaties:
Austria-Hungary-China - Treaty of Friendship, Commerce and Navigation of 20 September 1869;
Belgium-China - Treaty of Friendship, Commerce and Navigation of 2 November 1865;
Denmark-China - Treaty of Amity, Commerce and Navigation of 13 July 1863;
France-China - Treaty of Peace, Friendship and Commerce of 9 June 1885 modifying Treaty of Tientsin of 27 June 1858;
Germany-China - German Treaty of Tientsin (1861);
Italy-China - Treaty of Friendship, Commerce and Navigation of 26 October 1866;
Mexico-China - Treaty of Commerce of 14 December 1900;

Peru-China - Treaty of Commerce of 26 June 1875;

Portugal-China - Treaty of Tientsin of 13 August 1862 as modified by Protocol of 20 March 1887; and,

Spain-China - Treaty between Her Most Catholic Majesty Donna Isabel and His Majesty the Emperor of China of 10 May 1867.

18. J. Goldstein, Philadelphia And The Opium Trade, 1682 - 1846 (University Park: The Pennsylvania State University Press, 1978), p. 68.

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21. E. B. Martin & C. P. Martin, op. cit., p. 221.

22. Ibid.

23. Ibid, pp. 221 & 223.

24. As used here the term young generation embraces the portion of the population deemed to be in the stages of late adolescence through early adulthood.

25. Refer: UN Doc. E/INCB/47 (1979), p. 15.

26. A. McNicoll, Drug Trafficking - A North-South Perspective (Ottawa: North-South Institute, 1983), p. 38.

27. Ibid, pp. 34-35.

28. In the latter half of the 1970s the drug addict populations in the three Southwest Asian producers were as follows: Afghanistan - 100,000; Iran - 627,000 (both registered and unregistered); and, Pakistan - 300,000. (Ibid.)

29. A. McNicoll, op. cit., p. 33.

30. E. B. Martin & C. P. Martin, op. cit., p. 1.

31. Ibid., p. 185.

32. Ibid.

33. Ibid, p. 192.

III. GLOBAL PATTERNS OF DRUG PRODUCTION AND CONSUMPTION.

3.1 Geography: The Concept And Its Role

Geography regulates the character and structure of the maritime drug trade while economic gain is its motivator. All the physical and operational flow matrices and patterns of drug consumption are determined by select geographical factors. Before embarking on an analysis of the current drug trafficking scene it behooves one to clearly understand the underlying foundations of the trades. First, a loose but adequate definition of geography for this task is required.

Geography, in general, is a study of the distribution of multi-various commodities, resources and social issues spread over a myriad of natural landforms, settings and communities along with the flow matrices providing interconnectivity between all segments and across all planes.¹ The concomitant morphologies of the influencing and entwined natural and social phenomena such as spatial arrangement, topography, climatology, botany, demography, economics, politics and social behaviour must be incorporated in the analysis if one is to reach valid conclusions. The effects of man-made structures which are artificially imposed upon the natural environment and induce unique effects and interactions among the entities and phenomena involved constitute part of the subject. Examples include foreign trade zones and freeports which represent applied geo-economic concepts, political boundaries which form artificial barriers and law which creates ad-

ministration and regulation over both geographical and natural entities. It is from this that the multidisciplinary nature of geography is established. There are, of course, several orders of magnitude or hierarchial planes by which one can analyse geographical aspects. The order of magnitude or plane utilized is usually determined by the natural breadth of the particular topic under research though artificial parameters of greater or lesser scope may be imposed. Having defined this unique nature about geography *per se* it must then be integrated with the research topic - maritime drug trafficking - so as to reveal the geographical basis for the illicit trades. In analysing the drug trade two things become readily apparent. Imprimis, geography has a profound impact on both the structure of the numerous flow systems found and modes of conveyance used. Secondly, three orders of magnitude need to be considered: the global, macro and microscales. The global is the most general in explanation but provides the overview and basic answer. It takes into account the world as a whole in terms of the distribution of cultivation areas in relation to consumption sites and the spatial arrangement of land and sea. The bases for the various drug routes are established. The macroscale concerns the national and regional levels of scale. It yields insights to particular unique phenomena of the drug trade as they apply to the state or region in question. The peninsular configuration of Italy, the insular form of New Zealand and the basin/island structure of the Caribbean are examples of macroscopic structures (ie. the second order). The utilitarian role a state and region plays is ascertained. The microscopic scale considers things in precise detail regarding the intricacies of drug

smuggling. The structure of ports, harbours and desolate coastal sites along with the nature of ships are analysed. In this context the impact of politics and economics along with the human response must be reviewed where appropriate.

3.2 The Global Perspective

All drugs derived from natural organic substances are limited in origin to select areas around the world. Cannabis is something of an exception since it has been shown that it can be cultivated in areas far removed from historically traditional sites or areas naturally suitable for propagation once introduced.² However, in the context of bulk trafficking it can be categorized as limited in origin to select areas. Overall, the biogeography of the various drug plants is such that relative to certain OECD consumption sites their cultivation areas are quite distant. Hence, the basis for flow paths are established. Because heroin, morphine, codeine and opium are all derived from the poppy plant and hashish, marijuana and sinsemilla are of the cannabis plant, the discussion on geographical distribution of sources centers on three plants: the poppy, cannabis plant and coca bush. Though their cultivation areas may be far from the sea the spatial arrangement of land and sea combined with economic factors ensures that the sea will often be the preferred medium for transport. Economic considerations in the drug trade include risk, transport efficiency and profit maximization. The chemical and psychotropic substances, on the other hand, generally originate in countries with well-developed industrial bases where pharmaceutical production is an important component. Hence, discussion of their sources focuses on

the manufacturing states. However, because the quantities of synthetic drugs trafficked by sea are relatively inconsequential, only cursory mention is made.

3.2.1 Opiate Sources

In this discussion one must first distinguish between licit and illicit production. It must be borne in mind that opium is legally produced in several states under the UN control system; the purpose of which is to provide adequate opiate supplies for medical and scientific needs. Consequently, all drug production occurring under that system is licit. Conversely, all drug cultivation, production, manufacturing and trade transpiring outside of the UN regulated system is illicit.

Illicit opiates are derived from poppy plants growing predominantly in the following four regions of the world: the Golden Crescent, the Golden Triangle, India and Mexico. The Golden Crescent is a figurative name applied to a region of Southwest Asia comprising Afghanistan, Iran and Pakistan. In the past Turkey figured prominently but the institution of a ban on poppy cultivation in 1971 followed by limited resumption under strict control in 1974 removed Turkey from being deemed a source of illicit opiates.³ The Turkish amount finding its way into the illicit trades today is deemed small. The Northwest Frontier Province of Pakistan, the east-northeastern part of Afghanistan embracing the Provinces of Ghazni, Paktia, Nangarhar, Konar and Laghman across the border from the NWFP and a large area centering around Baluchistan and enveloping eastern Iran, western Pakistan and southern Afghanistan are the prime sites of poppy

cultivation. Based on data for the period 1982 - 1987, Afghanistan accounts for 47.7% of all Golden Crescent production followed closely by Iran, with a 43.9% share, and then Pakistan, with a 8.4% share. Lebanon is a secondary production site. Figure 3.1 depicts the opium production areas in the Golden Crescent while Table 3.1 contains data on production in Southwest Asia for the 1980s.

Figure 3.1 Opium Production Sites In The Golden Crescent.

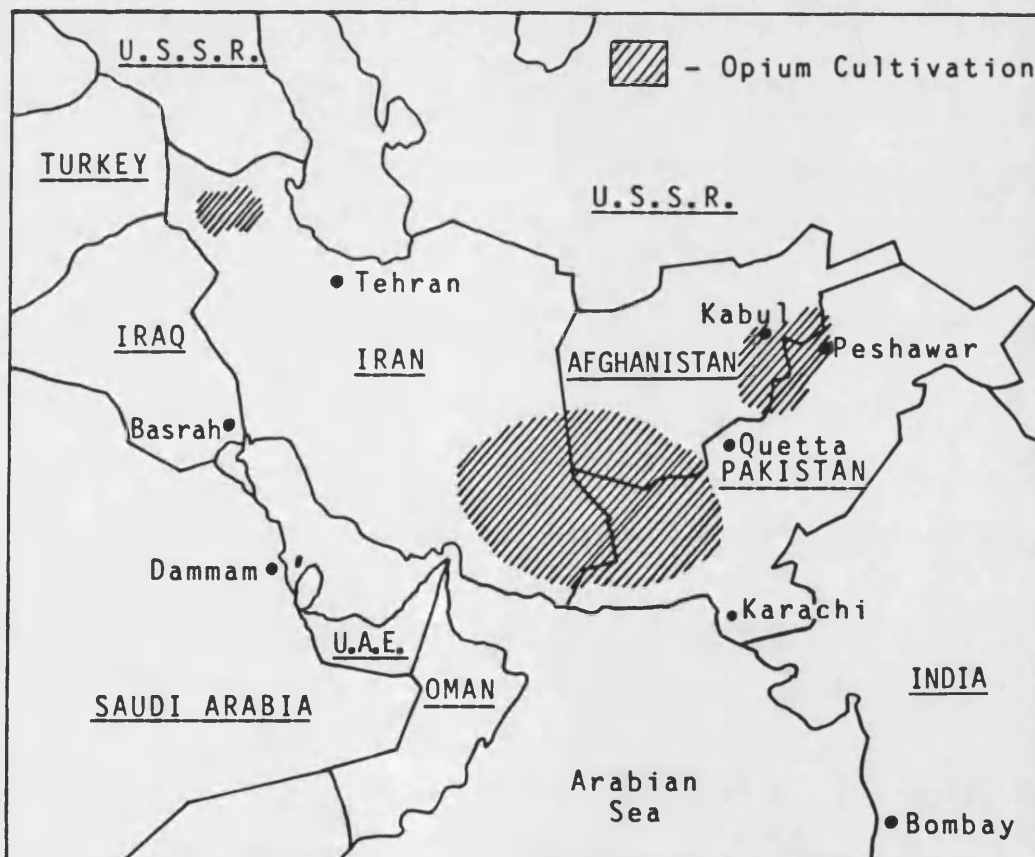


Table 3.1 Illicit Opium Production In The 1980s.

Country	AVERAGE PRODUCTION PER ANNUM In METRIC TONS						Percent	Ave. 1986
	1982	1983	1984	1985	1986	1987	Share%	Hectarage
AFGHANISTAN	275	487.5	220	525	500	600	22.7%	21,429
IRAN	500	500	500	300	300	300	13.7%	N/A
PAKISTAN	75	63	45	40	130	107.5	5.9%	7,143
BURMA	500	550	740	525	775	1,100	35.3%	90,000
LAOS	50	35	35	75	195	225	8.9%	N/A
THAILAND	48.5	32.5	45	37.5	19	25	0.9%	5,375
MEXICO	17	17	21	35	46.8	50	2.1%	5,357
INDIA	N/A	250	250	225	225	N/A	10.2%	7,408
LEBANON	N/A	N/A	N/A	N/A	6.7	6	0.3%	400
Totals	1,465.5	1,935	1,856	1,762.5	2,197.5	2,413.5	100.0%	-
* - Based on summation of 1986 country production figures.								
Sources: All figures compiled from RCMP's <u>NDIR 1986/87</u> & <u>NDIR 1987/88</u> (Ottawa, 1987 & 1988), NNICC's <u>NIR 1984</u> (Washington, D.C., 1985) & BINH's <u>INCSB - March 1987</u> (Washington, D.C.) with calculations done by author.								

The Golden Triangle comprises a region in Southeast Asia where the borders of Burma, Laos and Thailand converge. The Shan, Kachin and Kayah States of Burma, the 8 northern Provinces of Chiang Mai, Chiang Rai, Lampang, Mae Hong Son, Nan, Payao, Petchabun and Tak in Thailand and areas around Ban Na Mo, B. Houei Sai, Phong Saly and Luang Prabang in north-northeastern Laos are where the prime cultivation areas are located. However, in looking at the map one suspicious aspect arises and that is the question of China and Vietnam. Published intelligence reports and data make no mention of these two countries. Obviously, the 'closed curtain' nature of Vietnam and China makes intelligence gathering difficult. The northwestern corner of Vietnam around Dien Bien Phu, Lai Chau, Lao Cai and Son La and the Yunnan Province of China adjacent to northeastern Burma and Laos are prime sites for poppy cultivation as the conditions essential for growth prevail there.⁴ Though the idea that opium production occurs therein is officially denied, it must be considered. Hence Figure 3.2

which depicts the Golden Triangle includes the plausible sites in China and Vietnam. Based on data for the period 1982 - 1987, Burma accounts for 83.6% of all Golden Triangle production followed by Laos, with a 12.3% share, and Thailand, with a 4.1% share. Table 3.1 contains the production trends for Southeast Asia in the 1980s.

Figure 3.2 Opium Production Sites In The Golden Triangle.



Poppy cultivation is wholly illegal in Mexico. Yet the tri-state area of Chihuahua, Durango, and Sinaloa is the primary growing area.⁵ Secondary sites of cultivation are found in the western States of Chiapas, Culican, Guerrero, Jalisco, Michoacan, Nayarit, Oaxaca and Sonora.⁶ Figure 3.3 shows the areas of poppy cultivation in Mexico. Based on data for the years 1985 - 1987 it is estimated that between

Figure 3.3 Poppy Cultivation Sites In Mexico.



5,200 - 7,300 hectares are used for poppy cultivation.⁷ In terms of heroin, 10 kgs. of Mexican opium yields, on average, one kilogram of heroin.⁸ The cultivation plots are generally small-scale operations

involving about 1,000 sq. meters ($1/10$ th of a hectare) per plot and situated in ravines surrounded by steep sloping terrain.⁹ Refer to Table 3.1 for the production values during the 1980s.

The diversion of domestically-produced opium from licit production sites to illicit consumption and trafficking is the basis for India being classified as a source of illicit opiates. India is the world's largest producer of licit opiates which confers great responsibility, mandates strict control measures and requires stalworthy personnel. Unfortunately, India faces massive difficulty in fulfilling its responsibility due to the socio-economic situation inducing a corruptibility in society. Drug traffickers and dealers have a bountiful source of opium to tap into. Although the UN mechanism for controlling licit production and supply is laudable, in many instances, owing to lack of effective machinery, the system is prone to abuse. Additionally, wholly illicit cultivation occurs. It is estimated that 225 - 250 m.ts. of opium end up in the illicit market yearly and retrospective analysis indicates that this has been the case for several years.

Information on opium production in Lebanon is scant. Most opium is cultivated in the Bekaa Valley. The few reports available estimated cultivation to be around 400 hectares for both 1986 and 1987 and heroin production at between 600 - 670 kgs.¹⁰ Via mathematical calculation, incorporating known values of heroin refining, one can backtrack to obtain the opium production from the 400 hectares and the yield factor. The result is 6.0 - 6.7 m.ts. of opium with an average yield ratio of 15.0 - 16.8 k/h.

3.2.2 Cannabis Sources

Cannabis is a hardy plant found globally in the warmer climatic regions of land areas. The latitudinal range extends from the tropics to the higher latitudinal boundaries of the temperate zone (in both hemispheres). Exceptions are the interior areas of continents where structured summer seasons occur permitting permutation of the boundary beyond the normal limits to envelop those areas. An example is northwestern Canada embracing the Yukon and Northwest Territories.¹¹ Because water is vital the plant grows naturally in areas which possess the necessary mix of topographic, climatic and agronomic conditions. Where the soil's nutrient content is lacking and precipitation is inadequate the plant requires artificial inducements in the form of fertilizers, irrigation and attention. With these provisions, the cannabis plant can thrive equally well. The inter-relationship of the three growth criteria affects the THC content of the plant. This, in turn, determines the grade and type of cannabis the plant produces (ie. hashish, marijuana, sinsemilla, etc.). Market forces are the external determinant affecting cultivation. In regions of constant warmth the plant is capable of two crops per year and thus cultivated to yield two harvests annually. Usually, the autumn harvest (northern hemisphere) will yield a larger volume. Cannabis production is predominantly illegal, but there are countries where limited cultivation is allowed for licit purposes. India is an example where cultivation is permitted to obtain fiber and seed and for horticultural purposes.¹² Additionally, there are several countries which do not share the view over the perceived and real threats to society from cannabis. The use of the substance is not regarded as a

dangerous evil or decadent anti-social behaviour. Hence, in their prioritizations of social campaigns, the emphasis is on other social issues deemed more important and they appear lenient on this topic. Jamaica, Spain, Thailand and the Netherlands are examples of states which are lax in dealing with the cannabis issue.

At least 27 countries figure significantly in the production of cannabis and contribute to the international trade in the drug. Several more have been identified as sources of cultivation but are not considered here because either all cannabis produced is consumed domestically or their contribution to the trade is negligible or their cultivation of the drug falls within the definition of 'experimental'.¹³ Table 3.2 lists the states which have been linked to the international trafficking of cannabis and, where available, the data on production. To facilitate analysis, orders of magnitude are prescribed so as to differentiate the levels of significance states possess in the illicit trade.

The seven principals of the first order are Colombia, Thailand, Mexico, the U.S.A., the Philippines, Paraguay, and Jamaica. Colombia, Thailand and Mexico vie for the position of largest producer of cannabis in the world. For the four-year period 1984 - 1987 Colombia produced about 17,630 m.ts. while Mexico produced 16,670 m.ts. The foothills and slopes of the Sierra Nevada de Santa Marta and Serrania de Perija mountain ranges in the northeastern Departments of Magdalena, Cesar and La Guajira are the principal cultivation areas in Colombia.¹⁴ Other sites of lesser cultivation include the Serrania de San Lucas mountain range in the Department of Bolivar and the mountainous and jungle areas of Antioquia, Choco, Cordoba, Llanos,

Table 3.2 Sources Supplying The International Cannabis Trade.

AVERAGE PRODUCTION PER ANNUM In METRIC TONS					
	Country	1984	1985	1986	Cannabis Type(s)
1st	COLOMBIA	5,750	3,300	3,080	Marijuana
	THAILAND	N/A	N/A	4,000	Marijuana/Sinsemilla
	O MEXICO	2,750	3,500	5,000	Marijuana
	R U.S.A.	1,700	3,250	4,413	Marijuana/Sinsemilla
	D PHILIPPINES	N/A	1,960	3,164	Marijuana
	R PARAGUAY	2,250	2,250	2,250	Marijuana
	R JAMAICA	1,875	953	1,755	Marijuana/Sinsemilla/Hashish
2nd	KENYA	N/A	1,000	N/A	Marijuana
	BELIZE	1,100	645	550	Marijuana
	LEBANON	300	720	900	Hashish
	O SOUTH AFRICA	N/A	305.7	622.3	Marijuana
	R MOROCCO	345	345	341	Hashish/Marijuana
	D AFGHANISTAN	300	300	300	Hashish
	R PAKISTAN	200	200	200	Hashish
	R GUATEMALA	N/A	N/A	275	Marijuana
	INDONESIA	No Data Available But Deemed High			Marijuana
	BRAZIL	No Data Available But Deemed High			Marijuana
3rd	VENEZUELA	N/A	N/A	80	Marijuana
	COSTA RICA	N/A	110	90	Marijuana
	PANAMA	N/A	818.2	30	Marijuana
	O MAURITIUS	N/A	N/A	75	Marijuana
	R P.N.G.	N/A	40	N/A	Marijuana
	D GHANA	N/A	5.5	N/A	Marijuana
	R NIGERIA	No Data Available But Deemed Low			Marijuana
	R INDIA	No Data Available But Deemed Low			Marijuana/Hashish
	LAOS	No Data Available But Deemed Low			Marijuana
	NEPAL	No Data Available But Deemed Low			Hashish
Sources: All data extracted from the following publications: BINM, INCSR - March 1987 (Washington, D.C.); NNICC, NIB 1984 (Washington, D.C., 1985); and, UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1988/CRP.8. All figures have been rearranged by author.					

Santander, Sucre, Uraba and Valle. Roughly 63% of the annual amount produced is exported.¹⁵ On the other hand, every state in the Mexican Republic has some degree of marijuana cultivation occurring within them. However, the significant growing areas are situated in western Mexico in the States of Chihuahua, Guerrero, Jalisco, Michoacan, San Luis Potosi, Sinaloa, Sonora and Zacatecas.¹⁶ Durango and Oaxaca are two other States which have figured prominently in cannabis cultivation and probably still do though omitted from the latest intelligence

surveys.¹⁷ About 95% of Mexican cannabis is exported.¹⁸ The deepening economic plight of the 1980s is seen as the basis for the expansion of cultivation in Mexico. For the specific states just mentioned cannabis cultivation has become the 'bread and butter' industry for many farmers.¹⁹ Both Colombia and Mexico have two harvest seasons with yield ratios of 1,000 k/h per harvest or greater when optimum growing conditions prevail. Peak harvest times occur during the months of March through May and September through November in Colombia and during February and September in Mexico except for Oaxaca where favourable conditions allow thrice-annual harvestations.

Insufficient data on Thailand prevents accurate analysis. Based on seizure data and a review of the global drug market, it appears that Thai production is extensive. Because of a relatively high THC content Thai cannabis in the form of "Thai sticks" is both well sought after and easily marketed. Thailand, like Mexico, is burdened with severe economic conditions which have fostered the substitution of crops with cannabis. As in Mexico, marijuana has become an important cash crop. Northeastern Thailand is one of the poorest parts of the country. It is infrastructurally isolated and prevailing agricultural conditions are unsuitable for many legitimate crops. Cannabis cultivation occurs in 12 of the 17 provinces of northeast Thailand as well as in other provinces in the central and northern regions of the country. Nakhon Phanom Province is where the highest quality marijuana is grown.²⁰ Other principal Provinces seeing marijuana production are Chaiya Phum, Kalasin, Mukdahan, Roi Et, Sakon Nakhon, and Yasothon.²¹ Sites of secondary importance are found in the Provinces of Chacheoeng Sao, Chanthaburi, Chumphon, Kanchana-buri,

Kamphaengphet, Lampang, Loei, Nakhon Ratchasima, Phetchaburi, Phrae, Prachin Buri, Prachuap Kirikhan, Ranong, Sukhothai and Udon Thani.²²

The United States, like Mexico, possesses the status of having cannabis cultivation in all 50 states. In the period 1985 - 1987 approximately 281.4 million plants were seized. Of that total, 265 million were wild marijuana plants and 12.2 million were cultivated plants while the remaining 6.1 million were sinsemilla.²³ Domestic production accounts for 12% of the total US cannabis supply. The combination of strong demand and unfavourable natural conditions for growth in areas has promoted the use of diversified agricultural practices to increase marijuana production. California, Hawaii, Kentucky, Tennessee and Texas are the principal states for marijuana production under the category of active cultivation.²⁴ Illinois, Indiana, Kansas, Oklahoma and Texas are the primary states of production under the heading of wild growth.²⁵ California, Hawaii, Oregon and Washington are the major sites of indoor cultivation.²⁶ Sinsemilla is found predominantly in California, Hawaii, Kentucky, Tennessee and West Virginia.²⁷ Indoor cultivation and cloning appear to be the rising trends in marijuana cultivation as they ensure continual supplies. The areal extent of cannabis cultivation is difficult to assess and no reliable figures exist. US cannabis production is restricted to one harvest per year, in general, though twice-annual and multiple harvests are occurring in those areas where indoor cultivation and effort-intensive outdoor cultivation exist. Production has averaged 3,153.3 m.ts. annually for the past four years. Nearly all US production is confined to usage and trafficking within North America. Between 1 - 2% enters the international trade.²⁸

Philippine production averages 2,562 m.ts. annually based on 1985 and 1986 data. More than 25.7 million plants were seized during these years.²⁹ Data on hectarage and areas of cultivation is lacking. It is believed that the depressed economic conditions in the country combined with strong domestic consumption are the prime inducements for production. The notion that rebel factions, notably in Mindanao, are growing cannabis to sell or barter for weapons is uncorroborated.

Paraguayan production averages between 1,500 - 3,000 m.ts. annually; the majority of which is exported to Brazil.³⁰ Overall, details are sketchy but it is believed that virtually all cannabis is consumed within South America, hence precluding Paraguay from figuring in maritime narcotics trafficking.

Marijuana use has been a tradition in Jamaica since its introduction. It is used in folk medicine and by the Rastafarians daily as they consider it a sacramental herb. The Parishes of Clarendon, Hanover, Manchester, St. Ann, St. Elizabeth, St. James and Westmoreland situated in the north-central and south-central parts of Jamaica are the primary cultivation areas.³¹ The agricultural plains of St. Elizabeth, the exposed slopes of the Santa Cruz Mountains and the foothills of Blue Mountain are specific sites of marijuana growth. The wetlands of Black River Morass and Negril are prime areas of cultivation of sinsemilla.³² Jamaica is the only significant source of hashish oil in the western hemisphere.³³ The Jamaican climate is highly conducive to cannabis cultivation and permits two crops per year with an average yield ranging between 676 k/h per harvest, according to US sources, and 1,250 k/h per harvest, according to Canadian figures.³⁴

The second order of magnitude encompasses states deemed major sources of cannabis but where annual production is in the hundreds of tons (as opposed to thousands of tons which denote the principals). Ten countries fall within this classification but quantitative data is only available for eight of them. Unfortunately, here the categorization scheme begins to disintegrate. Because data is either incomplete or lacking for some countries it becomes arduous to accurately portray the situations. Moreover, the radical vacillations in production from year to year in some countries make determination of their roles tentative thus preventing categorization with certainty. Because of text constraints, these countries are not reviewed here. However, so as to give some insight to their respective production roles the reader is redirected to Table 3.2.

The lowest order of magnitude includes states where annual production is in the tens of tons. The total number of states which may be included herein is imprecise. The countries listed in Table 3.2 under the 3rd order were singled out because they are involved in export and consistently linked to cannabis products in transit via the maritime medium. Generally, information on them is scant and sometimes hearsay, hence making it difficult to assess the role each one plays. The list is subject to variation and may be increased, reduced or restructured in order to reflect new trends as recorded from one year to the next. For the same reason noted above neither will a descriptive review of these states be proffered here.

3.2.3 Coca Sources

Coca is the most unique of the drug plants because it is con-

fined to one region of the world. The western to northwestern part of the South American continent embracing the states of Bolivia, Colombia, Peru and, to a lesser degree, Brazil constitutes the sole source of all cocaine HCl. Venezuela and Ecuador have minor cultivation sites. The only external areas that have come to light as possible coca cultivation sites are Costa Rica, Panama, Indonesia and the Philippines but intelligence data is sketchy. The basis for this region of the world being the sole area of coca cultivation appears to be the result of a unique combination of climate, topography, agronomy, geographic isolation and botanical evolution. The highest purity coca is grown on the slopes of the Andes Mountains at elevations ranging between 500 - 1,200 meters. Optimal production yields occur where the temperature averages 25° C with 70 - 80% humidity.³⁵ However, coca grows equally well in lowland jungle areas at the base of both sides of the Andes mountain range particularly in watershed areas and river basins where fair amounts of rainfall (~2,400 mm/y) or distinct rainy seasons prevail.

Peru and Bolivia are the prime sites of high quality production because of the existence of ideal areas meeting the above criteria. In both countries limited coca cultivation to meet domestic needs, based on historic traditions of usage, and external pharmaceutical markets is permitted. In Peru between 17,000 - 18,000 hectares are set aside for the licit cultivation of coca by the governing monopoly (ENACO).³⁶ In Bolivia 10,000 m.ts. of coca leaf (= ~20 m.ts. of cocaine HCl) per year is the ceiling on quasi-licit production.³⁷ Contrastingly, approximately 144,000 hectares were devoted to illicit coca cultivation in Peru in 1986 and 1987 while illicit production of

coca leaf in Bolivia averaged 60,200 m.ts. per year during that period. In both cases illicit production exceeded licit production at least six-fold. The principal cultivation sites in Peru are the Hualaga River basin in the Departments of Huanuca and San Martin, the Maranon River basin in La Libertad, Amazonas and Loreto, the Ene and Apurimac River basins in Ayacucho and Junin while the Urabamba and Tambopata Rivers feed sites in Ucayali, Cuzco, Puno and Madre de Dios.³⁸ The best quality coca leaf is found in the Huallaga River basin where the natural setting subscribes to the ideal conditions stipulated earlier. In Bolivia illicit coca cultivation occurs in the Chepare and Valle Alto sections of the Department of Cochabamba, the Yungas and Apolo region of La Paz and throughout the Departments of Beni and Santa Cruz.³⁹ Of late, the Departments of Chaquisaca and Tarija have become prominent cultivation sites. The Chepare and Yungas regions are the most important cultivation areas as they respectively account for 75% and 20% of all production in Bolivia.⁴⁰ The Chepare is the prime example of the ideal lowland conditions required for growth while the Yungas typifies the highland criteria.

Colombia in comparison produces a less desirable grade of coca; thus, the reason why much Peruvian coca and, to a lesser degree, Bolivian coca is transhipped to Colombia for refinement. Colombian refineries are considered superior and better equipped than their counterparts. The lower cocaine alkaloid content of Colombian coca, which is the result of a different prevailing interaction of the natural conditions of growth, makes the coca a less desirable product because it is more expensive to refine into cocaine HCl. The cost of acetone, ether and N-hexane - the principal precursor chemicals

required for synthesis - combined with the difficulty in obtaining them in bulk raises the costs. The best analogy to this predicament is the petroleum refining process. Heavy crude oils and high sulfur-content oils are less desirable than light crude oils and low sulfur-content oils because they require more processing to attain the marketable stage which necessitates additional equipment, higher capital expenditures and greater overhead costs. In contrast to the two states discussed above coca cultivation is wholly illegal in Colombia. Hence, the 25,000 hectares in cultivation are devoted exclusively to illicit production. Coca traditionally grew in the Departments of Amazonas, Cauca, Caqueta, Meta, Narino and Putumayo, but in the late 1970s it expanded to encompass areas in Boyaca, Choco, Guaviare, Santander, Vaupes and Vichada.⁴¹ One Colombian hectare yields on average 0.8 m.ts. of coca leaf (dry) which when refined will yield approximately 1.6 kgs. of cocaine HCl. Colombian areas that most closely parallel the ideal growing criteria are found in the Sierra Nevada de Santa Marta Mountains and jungle areas around the Amazon and Orinoco River basins within the departments noted above.

Ecuador is a secondary supply source with cultivation hectarage at around 1,300 hectares. Coca is not a traditional crop but it has been introduced as a cash crop by drug traffickers whom are taking advantage of the socio-economic plight of the farming communities. The Provinces of Napo and Pichincha are the primary cultivation sites.⁴² Secondary sites are located in the Provinces of Carchi, Esmeraldas and Zamora Chinchipe. The grade of coca is high with a yield ratio of about 1 m.t. of coca leaf per hectare which, when refined, translates into 2 kgs. of cocaine HCl with an alkaloid content superior to that

of other source countries.

In Brazil coca is also a cash crop and production is relatively new - a result of socio-economic forces which have forced farmers and peasants to turn to it as a source of income. The upper Amazon region enveloping the Provinces of Acre, Amazonas and Rondonia in the northwestern part of the country abutting Colombia, Peru and Bolivia is a prime location. The natural conditions present therein are similar to those across the respective borders in the areas discussed earlier. Data on hectareage devoted to cultivation or production volume cannot be offered because of no reliable intelligence surveys. The inaccessability and isolation of the region creates this dilemma. However, it is known that the quality of the coca is considerably inferior compared to its Peruvian and Bolivian counterparts. Known as epadu, it is harvested twice yearly, first in May to August and then later again in December to January.⁴³ The low-yield nature of epadu means that the desirability for this coca by the processors is less as the refining demands associated with Colombian coca apply here and, undoubtedly, on a greater scale. However, it is fair to presume that market demand coupled with enforcement pressures in the primary producing states will ensure the need for Brazilian epadu.

No figures or estimates can be offered on Venezuelan coca production. Venezuela's situation is similar to that of Ecuador in that coca cultivation is a new development; it is small-scale and a result of drug traffickers expanding into new areas because of enforcement pressures in the traditional locales. The Sierra de Perija mountain range in northwestern Venezuela near the Colombian border is one area under cultivation.⁴⁴ The plots are between 1 - 5 hectares.

In terms of alkaloid content Venezuelan coca is congruous to Colombian coca. Other South American countries which have been linked to coca cultivation are Argentina, Chile and Paraguay. The proximity of these states to the principal growing areas combined with the fact that adequate conditions do exist within them suggests that cultivation is possible. Apparently, however, suitable sites are very limited and thus the extent of cultivation is minute and production is deemed virtually non-existent. Table 3.3 sums up cocaine production in South America while Figure 3.4 depicts the areas of coca cultivation.

Table 3.3 Illicit Coca Leaf And Cocaine Production In South America.

AVERAGE PRODUCTION OF COCA LEAF AND COCAINE HCl (m.ts.)									World Share (1984-86)	Ave. 1986 Hectarage Utilized*
Country	1984		1985		1986		1987			
	Coca	Cocaine	Coca	Cocaine	Coca	Cocaine	Coca	Cocaine	(%)	
Bolivia	52,500	105.0	47,600	95.2	48,460	96.9	47,509	95.0	29.4%	34,614
Colombia	11,080	22.2	12,400	24.8	12,800	25.6	12,800	25.6	7.7%	16,000
Peru	100,000	200.0	95,200	190.4	107,500	215.0	121,833	243.7	62.1%	107,500
Ecuador	895	1.8	1,000	2.0	1,300	2.6	N/A	N/A	0.7%	1,300
Brazil	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL										
ILLICIT OUTPUT	164,475	329.0	156,200	312.4	170,060	340.1	182,142	364.3	99.9%	159,414

* - The average yield ratios are: Bolivia = 1.4 m.ts./h, Colombia = 0.8 m.ts./h and Ecuador and Peru = 1.0 m.t./h. On average, 500 kgs. of coca leaf are required to process 1 kilogram of cocaine HCl.
N/A - data not available

Sources: Derived from the BINM, INCSR - March 1987 (Washington, D.C.), NNICC NIB 1984 (Washington, D.C., 1985) and RCMP, NDIR 1987/88 (Ottawa, 1988) with mathematics by author.

Coca cultivation outside of South America is negligible and in the experimental stages. Presumably, as pressure increases on the drug producers and traffickers in that continent they will go farther afield in search of new suitable areas for coca cultivation. Historically, the basis for coca not being found elsewhere is its endemic relationship with South America and the Andean region. The spatial

Figure 3.4 Coca Cultivation Sites In South America.



arrangement of the continent with vast oceans both to the east and west, the Caribbean Sea to the north and the progressively cooler zones to the south precluded natural dissemination of the plant in any direction. The narrowness of the Panamanian isthmus and Central American land-mass coupled with unsuitable natural conditions therein

prevented the spread northward along that land bridge to the North American continent. The coca plant in the wild is sensitive and, if it were not for artificial means, it would never have naturally propagated to some of the areas in South America where it is currently found. Hence, in mentioning these new sites it has to be recognized that artificial means of transmittal were involved.

Costa Rica and Panama have become involved because they straddle the main trafficking routes to North America and are close to Colombia. Coca plots have been found in southern Panama near the Colombian border. Darian Province is one named area of cultivation though activity is labelled experimental.⁴⁵ Far afield in the western Pacific coca has been cultivated in Indonesia and the Philippines. The upland areas of both Bali and Java have seen coca cultivation.⁴⁶ In the Philippines a coca plantation was discovered along with a refining laboratory.⁴⁷ Though the operation was small in size and supported very limited production, such a development indicates the ability of the plant to survive, though not necessarily thrive, elsewhere. Cultivation has also been attempted in Australia, Mexico, the Seychelles, the West Indies and in several sites in Africa.⁴⁸ Approximately 121,560 m.ts. of coca in various stages of refinement were exported from the principal source countries in 1986.⁴⁹ Though distributed throughout the world most of the cocaine illicitly produced goes to North America and, on a much lower volume, to Europe.

3.2.4 Chemical And Psychotropic Substance Sources

This is the most difficult category of illicit drugs to explain because the degree of illicit trafficking in these substances via the

maritime medium is minor yet the number of substances involved is many. The few quantities which find their way into the maritime drug trade are either diverted from licit sources and shipments or are outrightly manufactured in illegal laboratories for the illicit market. Hence, discussion focuses on those countries where the pharmaceutical industry is an important component of industry or where there has been a proliferation of clandestine laboratories geared towards the manufacture of such substances. Based on 1983 production data the principal source countries for semi-synthetic, synthetic and psychotropic drugs before diversion into the illicit markets, in descending order, are: the U.S.A., the U.K., Italy, Switzerland, France, West Germany, India, Japan, Belgium, the Netherlands, the U.S.S.R. and Hungary.⁵⁰ Embraced by this list are the world's traditional and major pharmaceutical suppliers. India has been a prominent source of diverted methaqualone which is being smuggled in large quantities into southern Africa.⁵¹ Licit methaqualone use in India was banned in January 1984 but there are large stockpiles just sitting and vulnerable to theft. Additionally, amphetamines, barbiturates, benzodiazepines along with methaqualone are being diverted from licit suppliers in western Europe and finding their way into Africa and the Middle East.⁵² Data on countries with clandestine manufacturing operations is sketchy. This is understandable considering the nature of the activity. To a certain degree it may be said that wherever there is illicit use of chemical and psychotropic substances the existence of a laboratory is possible. However, based on information available, only the following countries appear to have significant levels of clandestine manufacturing of semi-synthetic, synthetic and

psychotropic substances: Canada, Czechoslovakia, Mexico, the Netherlands, South Korea, Taiwan, the U.S.A. and West Germany. Methamphetamines, amphetamines and PCP accounted for 82% of the 312 clandestine laboratory seizures in the U.S. in 1984.⁵³ Fentanyl, LSD, meperidine and methaqualone are other chemical drugs produced in the U.S.A. Canada's illicit production scene is relatively similar to that of the U.S., but the principal psychotropic substances appear to be methamphetamines, PCP and MDA according to 1984 and 1985 data on discoveries.⁵⁴ Amphetamines, LSD, meperidine and fake methaqualone (containing diazepam) are other drugs manufactured illicitly in Canada. Mexico's status as an illicit manufacturer of these substances stems from its proximity to the U.S. and the demand therein for such drugs. Mexico produces amphetamines, fake methaqualone (containing secobarbital), phentermine and fenthylamine.⁵⁵ South Korea and Taiwan are prominent sources of illicitly manufactured methamphetamines.⁵⁶ Both West Germany and the Netherlands are sites of illicit amphetamine production while LSD is also produced in fair quantities in the latter.⁵⁷ Czechoslovakia is a minor manufacturer of illicit methamphetamines.⁵⁸ Though the other main European states are not mentioned by name, it is fair to say, based on an overall assessment of the illicit production of this category of drugs, that they account for the majority of other manufacturers in the world.

3.2.5 The Primary Drug Consumers

In order to list those states which belong in the category of primary drug consumer it becomes necessary to segregate the consuming states based on the magnitude of domestic consumption thereby allowing

a ranking of their respective drug scenes to be derived. Often, the producers are also significant consumers. Hence, the role illicit trafficking plays and the quantities moved are a useful criteria by which to determine the major external consumption sites. Unfortunately, this does not work in practice - at least not from a standpoint of precision. Because there is no method to accurately assess how much of each substance enters a given consumption area or state the analysis is generally reliant on descriptive information. Though one may use seizure statistics, epidemiological data and intelligence findings to support a demand scenario they all lack completeness. The first represents only a fraction of the drugs in the trade while the second is the result of extrapolations of data on arrests, hospitalizations and surveys and the latter is qualitative, imprecise and suspect. Additionally, the dilution factor of a marketed illicit drug is a variable of ill-defined measurement which dramatically affects retail volume. However, quantitative assessments do exist and to the extent that others rely on them they will be incorporated here as well. Among the sources utilized in determining the respective levels of drug use described herein are the published estimates on addict and user populations, national seizure statistics and, where available, official projections on drug importation and consumption. Bearing in mind that the emphasis of this study is on the states of O.E.C.D. the analysis is divided into two parts. The first simply summarizes the principal drug consumers in the world irrespective of their status for the record. The second provides an analysis of the OECD states. Interestingly, but not surprisingly, a fair number of states within the O.E.C.D. constitute major consumption sites. Can-

nabis and select opiates are the most widely consumed drugs while cocaine is relatively limited in area of consumption. The chemical and psychotropic substances of abuse also show a less extensive pattern of usage.

The world's principal consumers of illicit opiates, primarily in the form of opium and heroin, are, in descending order, Pakistan, India, Iran, the U.S.A., Afghanistan, Malaysia, Italy, West Germany and Thailand. Egypt belongs to this grouping but there is no quantitative data available by which to determine the ranking of the country *vis-a-vis* the others. The sheer number of users and volume consumed in each exceeds that of other countries by an order of magnitude unequalled. At minimum, there are at least 220,000 opiate users in each state. Collectively, they have more than 8.5 million addicts and habitual users. They consume perhaps 65% of the total available opium derived from illicit production or diversion annually. On a per capita basis these countries may not see the heaviest concentration of abuse but they dominate in numbers. Table 3.4 provides data on user populations for select countries.

In reviewing cannabis consumption one finds the poorest qualitative data. Realistically, the scope of the problem is not appropriately assessed. However, based on descriptive intelligence observations, government reports, published documents and some quantitative data, it is possible to determine the principal consuming states. Because cannabis is a pervasive drug with variform potency and indeterminate distribution a minimum user figure of 400,000 has been chosen as the threshold level above which all countries are labelled as major consumers. Based on quantitative data, the U.S.A., Bangladesh, Spain,

Table 3.4 Drug Addict And User Populations For Select Countries.

Country	Opiates		Coca & Cocaine	Chemical & Psychotropic Substances	Cannabis (All forms of the drug)	References & Sources for figures given
	Heroin	Opium & Morphine				
AUSTRALIA	17,000	N/A	N/A	Minute	N/A	Royal Com. Inquiry (83).
BELGIUM	N/A	N/A	N/A	N/A	N/A	-
CANADA	20,000	Minute	N/A	N/A	N/A	RCMP NDIB 1985/6 (1986).
DENMARK	-----8,000-----		Minute	N/A	N/A	Swedish GPO (1987).
FINLAND	N/A	N/A	N/A	N/A	N/A	-
FRANCE	-----200,000-----		10,000	N/A	800,000	Douanes (1987) & BP.
GREECE	-----20,000-----		Minute	N/A	N/A	Greek MPO (1988).
ICELAND	Minute	Minute	Minute	N/A	N/A	Ice. Just. Dept. (1986).
IRELAND	N/A	N/A	N/A	N/A	N/A	-
ITALY	250,000	Minute	600,000	400,000	500,000	UN Docs. (1987).
JAPAN	Minute	Minute	Minute	1,500,000	30,000	UN Doc. E/CN.7/1987/9.
NETHERLANDS	17,500	-----	17,500		N/A	Dutch MWHCA (1985).
NEW ZEALAND	-----Stated Officially As Unknown-----					NZ Customs Dept. (1987).
NORWAY			7,500	-----	52,500	Politikammer (1988).
PORTUGAL	N/A	N/A	N/A	N/A	N/A	-
SPAIN	102,500	Minute	70,000	444,500	1,500,000	Spanish MHCA (1986).
SWEDEN	1,000	3,250	Minute	7,750	12,500	NSCCP (1986).
TURKEY	Minute	Minute	Minute	N/A	N/A	UN Doc. E/CN.7/1987/9.
U.K.	200,000	Minute	-----	25,000	-----	UKHO (1985); BP (1986).
U.S.A.	492,000	Minute	12,000,000	N/A	20,000,000	UK & UN Docs. (1985-7).
W. GERMANY	-----200,000-----		N/A	550,000	20,100	German Docs. & BP (1986).
AFGHANISTAN	100,000	250,000	Minute	Minute	N/A	BINH (1987).
BOLIVIA	Minute	Minute	80,000	Minute	(w/cocaine)	SDRI (1987).
BURMA	17,600	159,700	Minute	Minute	N/A	UN Doc. E/CN.7/1987/9.
COLOMBIA	Minute	Minute	500,000	Minute	800,000	Gomez (1989).
INDIA	475,000	4,000,000	N/A	N/A	N/A	The NNICC REPORT 1987.
IRAN	100,000	500,000	Minute	N/A	N/A	BINH (1987).
PAKISTAN	660,000	1,000,000	Minute	425,000	800,000	RCMP & BINH (1987).
PERU	Minute	Minute	300,000	Minute	N/A	FCO (1987).
THAILAND	-----	-----	400,000	-----	-----	ONCB (1987).
ARGENTINA	Minute	Minute	-----	450,000	-----	SDRI (1987).
BANGLADESH	10,000	30,000	Minute	1,000,000	2,500,000	UN Doc. E/CN.7/1987/9.
HUNGARY	-----	-----	40,000	-----	-----	Time (1987).
MALAYSIA	226,188	28,823	Minute	Minute	22,235	UNAFBI Report 1984.
MAURITIUS	12,500	450	Minute	17,500	4,500	UN Doc. E/CN.7/1987/9.
POLAND	-----	-----	400,000	-----	N/A	Time (1987).
SRI LANKA	24,000	N/A	Minute	N/A	N/A	UN Doc. E/CN.7/1987/9.
SWITZERLAND	10,000	Minute	N/A	N/A	10,000	UN Doc. E/CN.7/1987/9.
U.S.S.R.	-----	-----	151,000	-----	-----	Soviet UN Delegate(1988).
Minute - no quantitative figure available but official sources and intelligence reports indicate that it is relatively small or inconsequential. N/A - data not available.						
Explanation & Disclaimer Note: The purpose of this table is to give a loose idea of the purported drug user populations based upon published figures derived from a variety of sources. It must be stressed that these figures cannot be considered exact or accurate. A number of factors too numerous to mention preclude precision. Nor should one attempt to add the figures listed in each column for any selected country and presume the sum to be the total drug-user population therein. Drug users often consume more than one substance or vary their consumption over time. Consequently, multiple counting occurs. (References as listed here may not necessarily appear in bibliography.)						

Pakistan and France rank as the top five. Descriptive data, however, indicates that Afghanistan, Brazil, Colombia, Egypt, India, Iran, Italy and Poland are also in this grouping. Census numbers alone do not always convey the true picture and depth of the problem. There are several small countries and regions that have serious cannabis problems if one views the consumption aspect in context with the population base. While the national addict and user figures individually do not approach the threshold level noted earlier, when seen collectively, as a region, they do come close or exceed that level. The Caribbean which encompasses all island states of the Netherlands, Lesser and Greater Antilles, West Africa which embraces the coastal states from Nigeria westward to Sierra Leone and the Arabian Peninsula are regions of such consumption.

Until recently, cocaine use has been virtually an American problem with the Canadians replicating the degree of use on a minor scale. The magnitude of use in the U.S.A. is unsurpassed. Reasonable figures put out by various sources on the extent of habitual use say 12 million Americans use cocaine.⁵⁹ Beginning with the early to mid-1980s cocaine use spread to Europe. By 1985 approximately 20 m.ts. were being shipped to Europe.⁶⁰ Italy has seen the greatest intrusion of cocaine use. In 1987 there were an estimated 600,000 regular users.⁶¹ Spain, at yet a lower order of magnitude, is believed to be the third major consumer of cocaine. There were about 70,000 regular users in 1986.⁶² The U.K., West Germany, France and the Netherlands round off the bottom of the list based on descriptive assessments. However, so far the discussion has centered on cocaine and not its lesser refined forms of coca paste and bazuco. In South America these

substances are heavily abused. While the effect may not be as severe in the short-term the outcome in the long-term is similar - addiction and habitual demand. The principal countries are Argentina, Bolivia, Brazil, Colombia and Peru. In 1987 there were about 600,000 users in Colombia while in Peru they numbered 300,000.⁶³

Amphetamines, methamphetamines and PCP are the most commonly abused psychotropic substances followed by methaqualone and LSD. Based on quantitative data the two largest consumers of chemical and psychotropic drugs by a two-fold order of magnitude over the nearest rivals are Japan and Bangladesh. Regular users of these substances number 1.5 million in Japan and one million in Bangladesh.⁶⁴ Methamphetamines and volatile solvents are the primary substances abused in Japan while in Bangladesh it is benzodiazepines.⁶⁵ The other main consumers are West Germany, Spain, Pakistan and Italy. The countries which must be added to the list though quantitative data is lacking are the U.S.A., India and Canada. The U.S. probably ranks number one though no figure is included in Table 3.4. This is because there is only descriptive information available to support this premise. In 1985 an estimated 3 billion d.u. of these substances, which crudely translates into 300 kgs., were consumed in the U.S.⁶⁶ A figure of 8 million abusers of tranquillizers has been stated for 1986.⁶⁷ However, it is presumed that this is more a result of abuse of prescribed drugs and not substances obtained illicitly. In addition to the major consumers noted above there are several countries where chemical and psychotropic substance abuse is acute, but which are not commonly recognized as important problem areas because of their "smallness." This point was introduced previously in the discussion

on cannabis consumption. Africa in particular is affected by this dimension. Among the African countries experiencing severe problems with psychotropic substances are Botswana, South Africa and Zambia.⁶⁸ Mauritius with 17,500 abusers of benzodiazepines is another country in this category.⁶⁹ The Arabian Peninsula and Egypt are also considered to have problems of a higher degree.

3.2.6 Drug Consumption In The Coastal States Of O.E.C.D.

3.2.6.1 The United States of America

The U.S. is the leading consumer of cocaine, marijuana, chemical and psychotropic substances in the world.⁷⁰ Though not the largest consumer of opiates the U.S. consumes 60 - 70 m.ts. annually; nearly all (6.45 m.ts.) in the form of heroin.⁷¹ As Table 3.5 shows, about 47% came from Southwest Asia, 39% from Mexico and 14% from Southeast Asia.⁷² Golden Crescent heroin is prominently used (~85%) in the eastern third of the country while Mexican heroin dominates (~60%) in the Midwest, Southwest and West.⁷³ Golden Triangle heroin is notably used (~27%) in the West but is still second to Mexican heroin.⁷⁴ Cannabis consumption is between 8,000 - 10,000 m.ts. annually. In 1986 marijuana imports totalled about 9,575 m.ts. and domestic production contributed a further 2,100 m.ts.⁷⁵ Hashish importation is believed to be about 175 m.ts. annually. Cocaine imports were 100 m.ts. in 1986.⁷⁶ Roughly 75 - 80% is actually consumed. Table 3.5 provides a breakdown of the sources of illicit drugs and their roles. The U.S.'s consumption of chemical and psychotropic substances was discussed in an earlier section. Essentially, the U.S. supplies itself with lesser amounts coming from Canada, Colombia and Mexico. Primary consumption

Table 3.5 Sources Of Illicit Drugs In The U.S.A In 1985 And 1986.

<u>HEROIN</u>			<u>CANNABIS</u>			<u>COCAINE</u>		
Sources	Share (%)	Amount (m.t.)	Sources	Share (%)	Amount (m.t.)	Sources	Share (%)	Amount (m.t.)
Afghanistan			Colombia (M)	47.14%	4,596.0	Colombia	75%	75.0
Pakistan	47%	3.03	Mexico (M)	23.67%	2,298.0	Bolivia	15%	15.0
Iran			[U.S.A.]a (M) (excl.)		2,100.0	Peru	5%	5.0
			Jamaica (M)	15.71%	1,532.0	Others	5%	5.0
Mexico	39%	2.52	Belize (M)	7.85%	766.0			
Burma			Others (M)	3.93%	383.0			
Laos	14%	0.90	Afghanistan/ Pakistan (H)	1.12%	109.4			
Thailand			Lebanon (H)	0.50%	48.0			
			Morocco (H)	0.19%	8.8			
			Others (H)	0.19%	8.8			
TOTALS	100%	6.45	TOTALS	100.3 %	9,750.0	TOTALS	100%	100.0
<u>Notes:</u> * - Will not tally due to rounding. M - Marijuana H - Hashish a - included for comparison's sake but not counted in tabulation above.								
<u>Sources:</u> BINM, <u>INCSR</u> - March 1987 (Washington, D.C.), pp. 3, 27, 32 & 50; NNICC, <u>NIR</u> 1984 (Washington, D.C., 1985), pp. 17, 21 & 31; & NDIU, <u>Drugs Arena</u> , No. 3 (London, 1986), p. 9 with all mathematics by author.								

sites for illicit drugs within the U.S.A. are the urban centres, particularly the big cities like Boston, Chicago, Dallas, Detroit, Houston, Los Angeles, Miami, Newark, New York, Philadelphia, Phoenix, San Diego, San Francisco, St. Louis and Washington, D.C. Table 3.6 provides a statistical summary of US drug seizures.

Table 3.6 Drug Seizures In The U.S.A. For The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	All Psychotropic Substances (d.u.)
1983	828,824.729	8,901.731	300.372	16.243	20,238,938
1984	1,320,633.144	11,495.099	385.043	8.013	18,326,621
1985	854,620.758	25,776.014	419.097	26.107	18,372,464
1986	663,070.620	45,000.000	410.400	11.150	38,961,450
1987	625,059.011	56,400.000	501.006	43.035	34,404,021
<u>Sources:</u> UN Docs. E/CN.7 Series for the years 1987 - 1989 as modified by US data.					

3.2.6.2 Canada

The Canadian drug scene is similar to that of the U.S. but on a smaller scale. For the 1980s as a whole virtually all heroin comes from Asia with the Golden Triangle accounting for 62% and the Golden Crescent accounting for 38%.⁷⁷ Heroin use is most prevalent in the Provinces of British Columbia, Alberta, Ontario and Quebec. Montreal, Toronto and Vancouver are the principal domestic distribution centres.⁷⁸ In terms of volume, cannabis is the principal drug imported. It is readily available and widely used. Table 3.7 denotes the contribution shares of the source countries. Cocaine is also

Table 3.7 Sources And Types Of Cannabis Found In Canada In The 1980s.

Country	Marijuana (% share)	Hashish (% share)	Hashish Oil (% share)
Canada	7.7 %	-	2.0 %
Colombia	35.8 %	-	-
Jamaica	21.7 %	2.8 %	74.0 %
Lebanon	-	70.3 %	20.8 %
Mexico	9.8 %	-	-
Pakistan/India	-	20.7 %	2.2 %
Thailand	16.7 %	-	-
U.S.A.	7.0 %	-	-
Others	1.3 %	6.2 %	1.0 %
TOTALS	100.0 %	100.0 %	100.0 %
Source: RCMP, NDIE - various years (Ottawa, various years).			

easily obtainable, but distribution and use tends to be focused in the large urban areas with Montreal being the primary site.⁷⁹ The chemical and psychotropic substances Canada produces are also the ones it consumes. Table 3.8 provides the Canadian seizure statistics for the mid-1980s.

Table 3.8 Canadian Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Psilocybin (kgs.)	Amphetamines (kgs.)	PCP (kgs.)	Other Psycho- tropics (kgs.)
1983	27,021.781	116.288	33.011	2.561	72.000	79.771	15.381	197.201
1984	11,344.577	154.433	40.259	1.299	48.000	5.951	6.011	157.206
1985	22,960.025	170.082	64.915	0.751	318.000	8.286	20.191	103.626
1986	26,256.168	247.142	48.108	14.499	128.713	11.508	7.212	17.846
1987	45,553.268	282.796	44.891	1.974	115.308	0.552	3.212	47.974
Sources: All data except for cannabis, morphine and opium from RCMP's NDIB 1984/5, 1985/6, 1986/87 & 1987/88. Cannabis, morphine and opium data from UN Docs. E/CN.7 Series 1985 - 1989.								

3.2.6.3 Japan

Stimulants, specifically methamphetamines, are the most prevalently abused drug in Japan followed to a lesser degree by cannabis and, more recently, cocaine. Comparatively speaking, heroin and other opiates and psychotropic substances are used on a minor level or are virtually non-existent.⁸⁰ Cannabis and poppy grow wild in Japan. In 1985 alone the authorities destroyed 5.1 million cannabis plants and 280,000 poppy plants.⁸¹ An analysis of stimulant confiscatures for the period 1980 - 1985 reveals that of the total 56.3% came from South Korea, 37.4% came from Taiwan, 1.8% came from Hong Kong, 1.6% came from the Philippines and 2.9% came from a number of other minor sources.⁸² In contrast, the majority of cannabis seizures show that the U.S.A., the Philippines, Thailand and India are the principal source countries for marijuana in Japan. Table 3.9 contains the annual seizure figures for drugs in Japan. Since 1981 more than 20,000 individuals have been arrested annually for drug offences in Japan. In 1984 there were 37,267 cases and in 1985 there were 35,587 cases.⁸³ It is estimated that the total quantity of stimulants confiscated in 1985 could, in theory, be consumed by 14.7 million people though from

the addiction standpoint it could only support between 163,000 - 490,000 addicts based on the Japanese definition of toxicosis.⁸⁴ It is believed that the actual drug user population is ten times that which is known to the authorities.⁸⁵ Tokyo followed to a lesser degree by Osaka, Fukuoka and Kanagawa are the primary consumption sites of stimulants based on annual seizure data.

Table 3.9 Japanese Drug Seizures In The Period 1983 - 1987.

Year	Stimulants (kgs.)	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	LSD (d.u.)
1983	100.630	336.996	1.028	1.422	0.488	220
1984	199.333	563.230	12.455	6.832	0.194	5,713
1985	295.527	124.442	128.634	16.349	0.420	131
1986	350.418	230.790	2.122	1.831	0.615	69
1987	702.732	196.354	1.660	4.695	0.047	97
Sources: MHW, <u>A Brief Account Of Drug Abuse And Counter-Measures In Japan</u> (Tokyo, 1986), p. 23 & NPA, <u>DPIJ 1986</u> (Tokyo, 1986) in conjunction with UN Docs. E/CN.7/1988/CRP.8 & E/CN.7/1989/CRP.5.						

3.2.6.4 Australia

The drug scene in Australia is somewhat ambiguous because of lack of data. Though two Royal Commissions provided estimates on the drug using population they were considered speculative.⁸⁶ There has been a multitude of epidemiological studies of narrow scope and thrust but none offer reliable and comprehensive statistics on drug use on the national level. Based on seizures and recorded offences, cannabis is the principal drug consumed followed by heroin. Cocaine use is the growing trend. Amphetamine is present but the extent of usage is not understood. In regards to cannabis no specific country can be singled out as the primary source of the drug in Australia. Cannabis is grown locally and though there is no quantitative data on production it is

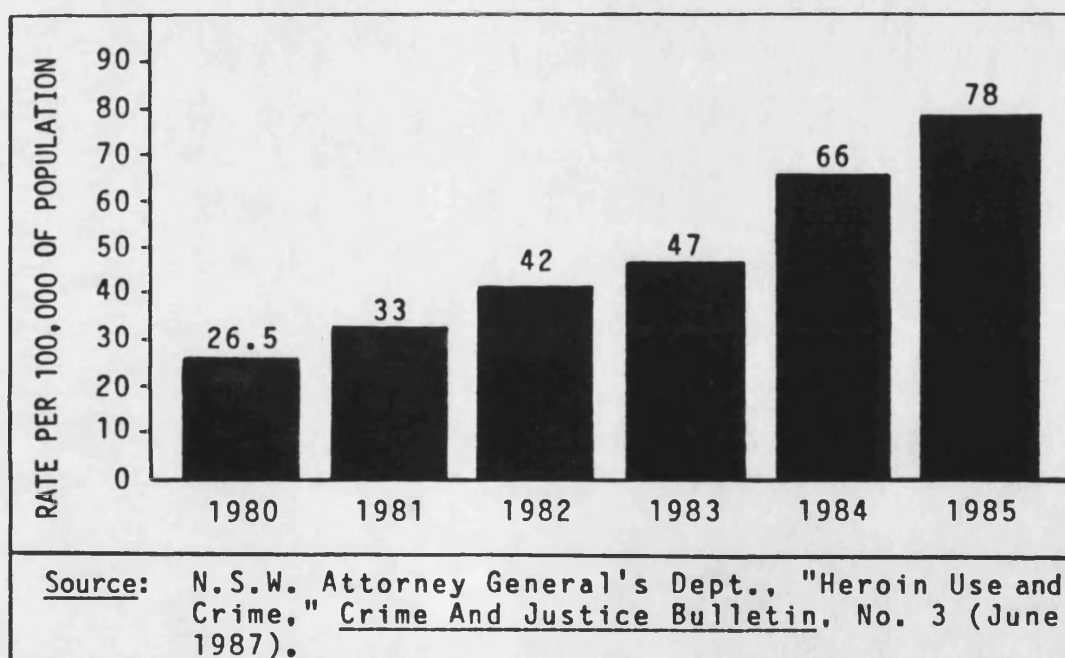
not deemed insignificant. External sources of origin most frequently noted include the Philippines, Thailand, India, Pakistan and Lebanon. Heroin from the Golden Triangle dominates the Australian market while Golden Crescent heroin is found notably in Victoria.⁸⁷ An analysis of 1986 Customs seizures shows that 75% of all heroin interdicted came from Southeast Asia while the Middle East accounted for 12.5% and Southwest Asia provided 9.9%.⁸⁸ Contrastingly, all of the cocaine found within the country originates in Colombia and Chile with more than 77% of it transhipped via islands in the Pacific basin.⁸⁹ Most of the amphetamine consumed is produced domestically in illicit laboratories, notably located in Victoria.⁹⁰ Though labelled speculative, in 1985 the ACS made estimates on the total quantities of drugs imported to Australia annually. These estimates were as follows: cocaine = 254 - 3,690 kgs. with a median figure of 1,972 kgs.;⁹¹ heroin = 410.5 - 1,123.5 kgs. with a median figure of 767 kgs.;⁹² hashish = 10.1 - 62.7 m.ts. with a median figure of 36.4 m.ts.;⁹³ and, marijuana = 30.9 - 864.1 m.ts. with a median figure of 447.5 m.ts.⁹⁴ Table 3.10 provides a summary of drug seizures in Australia.

Table 3.10 Australian Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Stimulants (kgs.)
1983	1,725.460	8.797	97.071	1.138	0.512
1984	6,912.860	13.100	101.550	0.044	1.330
1985	3,129.568	12.801	57.886	8.985	2.397
1986	3,916.794*	21.581	30.937	0.807	0.883
1987	935.995	10.688	65.836	0.613	32.742
* - includes 1,000 kgs. not physically recovered.					
Sources: UN Docs. E/CN.7 Series for years 1987 - 1989 as corroborated/corrected by ACS & AFP statistics.					

Cannabis is consumed throughout the country. Cocaine use, on the other hand, is confined to the eastern States of New South Wales, Queensland, Victoria and Tasmania.⁹⁵ Heroin use has been rising steadily in the 1980s. Figure 3.5 depicts heroin use in Australia. In the early 1980s it was estimated that 0.9 - 1.3 m.ts. had to be imported to support the hard-core addict population existent then.⁹⁶ Heroin use is most prevalent in the urban areas of Brisbane, Melbourne, Perth and Sydney. Overall, about 800 deaths per annum are directly attributable to drug use.

Figure 3.5 Heroin Offences In Australia In The 1980s.



3.2.6.5 New Zealand

Drugs have been abused in New Zealand since the arrival of the first European settlers.⁹⁷ During the period 1981 - 1986 a total of 79,599 drug offences involving 71,013 offenders was recorded.⁹⁸ Overall, New Zealand lags 5 years behind the world drug scene and all developments therein. Polydrug use is the norm. Cannabis is, by far, the most widely consumed drug. Cocaine, heroin and LSD are less extensively used substances. Domestic cannabis production contributes a significant percentage of the total quantity of cannabis consumed with areas in and around the Districts of Nelson, Coromandel and Northland being diligently cultivated.⁹⁹ In the mid-1980s (1984/5/6) plant confiscations totalled more than 121,000 plants annually. The high level of domestic production stems from the fact that New Zealand cannabis is considered equal in strength to Southeast Asian cannabis.¹⁰⁰ Consequently, the demand for external supplies is somewhat negated. Domestically produced cannabis oil is also abundant. In contrast, most of the hashish imported originates from Southwest Asia, India and Morocco while all heroin comes from the Golden Triangle and Golden Crescent. Illicit synthesis of morphine and crude heroin from codeine base is prevalent in New Zealand with over 140 covert laboratories discovered in the period 1983 - 1987.¹⁰¹ In contrast to the drug scenes of most other countries LSD remains a popular hard drug in the 1980s.¹⁰² Most of it originates from the Netherlands while the U.S. and the U.K. are the sources of minor amounts. In regard to all imported heroin, LSD and hashish, it is observed that the drugs either transit or originate in Australia before arriving in New Zealand while all cocaine comes from Argentina and Chile, either directly or via

Tahiti. Table 3.11 provides a summary of drug seizures in New Zealand. Not much is known about the demographics of drug use. As is typical elsewhere, the use of hard drugs tends to be confined to the larger urban areas like Auckland, Christchurch, Hamilton and Wellington. Quantitative data on the drug-using population is lacking.

Table 3.11 Drug Seizures In New Zealand For The Years 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morphine/Opium (kgs.)	LSD (d.u.)
1983	328.112	0.208	0.339	1.488	2,414.5
1984	502.738	0.290	0.129	0.507	557
1985	363.482	0.032	0.684	0.018	9,006.5
1986	328.717	4.030	1.150	0.034	8,753
1987	497.469	3.207	0.018	0.648	4,515
<u>Sources:</u> NDIB, <u>Drug Summary</u> (Wellington, 1987), Annexes 3 & 4 and UN Doc. E/CN.7/1989/CRP.5.					

3.2.6.6 The United Kingdom

In the United Kingdom cannabis is, by far, the most prevalent drug followed by heroin, cocaine and amphetamines. Comprehensive and reliable figures on the extent of drug consumption nationally are non-existent. However, a statistical extrapolation made from seizure data for heroin in conjunction with overall estimates on trafficking and consumption indicates that the U.K.'s population of heroin users numbers around 200,000.¹⁰³ Though cannabis is cultivated domestically, on a minor scale, the vast majority of it is imported from the Golden Crescent, Lebanon and Morocco. West Africa and Thailand contribute a minor share. About 80% of the heroin intercepted originates from the Golden Crescent with India and Sri Lanka being the prominent transit states; at least in the first instance of trans-shipment. Cocaine comes from the usual South American source countries while the

majority of amphetamine imported is manufactured in the Netherlands. There is some amphetamine and methylamphetamine production within the U.K. In 1986 thirteen illicit laboratories were detected.¹⁰⁴ Diversion from licit supplies occurs but the quantities pilfered are small. Table 3.12 provides a summary of drug seizures in the U.K.

Table 3.12 Drug Seizures In The United Kingdom For The Years 1984-87.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Stims. (kgs.)	Methaqualone (kgs.)	Others (kgs.)
1984	29,072.240	65.502	361.601	8.203	58.806	31.100	0.857
1985	22,667.188	85.391	366.374	0.587	77.123	3.350	1.610
1986	24,386.974	101.885	222.287	1.673	105.506	0.147	2.913
1987	16,265.295	360.146	187.641	0.009	18.255	0	0.003
Sources: UN Docs. E/CN.7/1988/CEP.8 and E/CN.7/1989/CEP.5.							

While cannabis is consumed throughout the country prolific use is concentrated in the big cities as a result of population demographics. Heroin use, on the other hand, appears scattered and variable. In general terms, it tends to be an inner urban problem among the young, unemployed and disaffected. Based on areal and regional studies there is an extremely high correlation (~95%) between heroin use and petty crime.¹⁰⁵ Cities and areas seeing a high density of consumption per capita are Greater London, Greater Manchester, Liverpool, Glasgow, Wirral and Carlisle. Cocaine is seen as the "champagne" drug.¹⁰⁶ At present, cocaine use is basically confined to London and adjacent counties in southeastern England. In 1984 there were 28,600 seizures of drugs and 25,000 people were convicted or reprimanded for drug violations.¹⁰⁷

3.2.6.7 Ireland

Cannabis and heroin are the drugs of abuse in the Republic of Ireland. Most other drugs are to be found, but the quantities are minute. The extent of drug consumption is not known. The majority of cannabis originates from Lebanon, Morocco, Thailand and West Africa with the U.K. and the Netherlands often serving as transit states. Domestic cultivation is minor. In the period 1984 - 1987 9,992 plants were seized along with 1,520 poppy plants.¹⁰⁸ Heroin either transits the U.K. or undergoes further refinement there thus masking the origin of its base. Table 3.13 contains data on Irish drug seizures.

Table 3.13 Irish Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	All Others (kgs.)
1983	530.773	0.097	1.379	0.248
1984	15.171	0.080	0.525	0.403
1985	73.361	0.293	1.220	0.424
1986	12.748	0.171	1.896	0
1987	101.109	0.030	0.051	0.315
<u>Sources:</u> Garda Siochana, <u>Annual Reports</u> for 1983/4/5 (Dublin, 1984, 1985 & 1986); UN Doc. E/CN.7/1989/CRP.5.				

The abuse of heroin is confined to Dublin where it is a serious problem in the inner urban area.¹⁰⁹ A summary of drug offences for the period 1983 - 1985 shows that Dublin accounted for 79.2% of all drug indictments. Cork followed with an 8.9% share and Limerick ran a distant third with a 3.5% share. When viewed by category of drugs involved, cannabis accounted for 56.3% of all drug offences while heroin accounted for 25.7%. Table 3.14 presents the actual number of offences by drug category and city.

Table 3.14 Analysis Of Irish Drug Offences By City And Category.

CITIES					TOTAL INDICTMENTS PER ANNUM	DRUG CATEGORIES			
Year	Dublin	Cork	Limerick	Others (15 Divs.)		All Others	Heroin	Cannabis	Year
1983	1,389	184	62	187	1,822	328	449	1,045	1983
1984	1,105	118	59	87	1,369	282	340	747	1984
1985	1,041	93	33	103	1,270	191	359	720	1985
Sources: Garda Siochana, Annual Reports for 1983/4/5 (Dublin, 1984, 1985 & 1986).									

3.2.6.8 Spain

Based on seizure data for the period 1983 - 1986 Spain is Europe's largest importer of cannabis and cocaine and fourth largest importer of heroin and LSD. However, though Spain is one of the larger consumers of drugs it does not consume all that enters. Instead, fair amounts entering the country are in transit destined for elsewhere in Europe. With about 1.5 million users cannabis is, by far, the most widely consumed drug.¹¹⁰ Spain has the largest population of cannabis consumers in Europe (See Table 3.4). Most of the cannabis consumed is imported; the majority of it in the form of hashish. The remaining portion is cultivated within the country. More than 6.7 m.ts. of plants were seized in the period 1984 - 1987.¹¹¹ Furthermore, Spain has the second largest population of cocaine users in Europe after Italy. The majority of cocaine comes from Colombia. In contrast, most of the heroin imported originates from the Golden Crescent and Lebanon and transits the Middle East and eastern Mediterranean before arriving in Spain. LSD is a popular psychotropic substance with seizures averaging 25,100 d.u. per year. Table 3.15 offers a summary of Spanish drug confiscatures.

Table 3.15 Spanish Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	LSD (d.u.)
1983	17,646.520	275.144	109.329	0.128	12,682
1984	34,851.304	277.029	203.087	0.773	17,781
1985	64,248.882	302.544	252.615	5.327	5,647
1986	48,047.876	668.919	407.052	0.0009	67,436
1987	59,603.963	1,135.369	412.699	0	22,128
<u>Sources:</u> UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1989/CRP.5.					

The demographics behind drug use are not well understood. On average 140 people die per year as a result of drug abuse or drug-induced events.¹¹² One index used to measure the extent of drug use is to correlate new addict cases as a function of population. Based on such analysis, it is observed that the Autonomous Communities of Pais Vasco and the Balearic Islands possess the highest incidence rates while Castilla Y Leon, Castilla-La Mancha and the Canary Islands occupy the midrange of the spectrum.¹¹³ *Vis-a-vis* the Balearic Islands, it is probable that the high figure reflects in part the consumption of illicit drugs by the transient tourist population.

3.2.6.9 The Netherlands

The Netherlands is one of Europe's principal importers of cannabis, heroin and cocaine. It also sees the largest volumetric seizures of amphetamines and ranks second in LSD confiscatures. Of the total volume of heroin imported during the period 1983 - 1986 about 73.7% originated in Southwest Asia and Lebanon while the Golden Triangle provided 23.7%.¹¹⁴ However, recent intelligence information suggests a change is occurring with Southeast Asian heroin beginning to gain a larger share of the market.¹¹⁵ Dutch authorities list Turkey as their

single largest source of heroin. The anomaly is that Turkey, generally, is not recognized as a source country. The Dutch, however, believe that a combination of illicit cultivation, diversion of licitly produced opium and the transit of Iranian opiates make Turkey a source country.¹¹⁶ The cocaine comes from the usual source countries in South America, both directly and via Spain. Cannabis imports are split between hashish, which accounts for 65.8%, and marijuana, which accounts for 34.1%.¹¹⁷ Between 60 - 70% of the cannabis imported annually originates in Pakistan while Lebanon and Morocco provide the remainder.¹¹⁸ Nigeria is a tertiary source and provides a minor share of the marijuana imported. The majority of amphetamine and LSD seized are produced domestically either in clandestine laboratories or diverted from pharmaceutical manufacturers. Methadone, psilocybin and amfeperamon are other psychotropic substances consumed. Table 3.16 provides details on Dutch drug seizures.

Table 3.16 Dutch Drug Seizures In The Period 1984 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Amphetamines (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	LSD (d.u.)	Others (kgs.)
1984	30,278.143	180.013	39.189	143.775	0.556	10,738	0.139
1985	34,902.040	124.897	42.618	364.250	0.039	128,246	6.165
1986	47,855.834	274.117	86.192	541.872	0.803	3,618	5.150
1987	48,502.131	405.947	124.733	517.589	0.028	13,250	0
Sources: CBI, <u>Jaaroverzicht 1986 van de Verdoevende Middelen Centrale</u> (The Hague, 1987), p. 11 & UN Doc. E/CN.7/1989/CRP.5.							

Though unauthorized use, possession, transport and trade of all drugs are prohibited by law, in practice drug use itself is not prosecuted. Because the Netherlands is a relatively small country and infrastructurally integrated drug consumption is found throughout the

country. The apparent concentration of drug use in the cities is merely a function of population demographics. Amsterdam and Rotterdam are the premier drug cities. Amsterdam is believed to have approximately half the hard-drug population in the nation.¹¹⁹ Polydrug use is common, particularly in association with heroin. Cocaine, methadone, amphetamines and benzodiazepines are the jointly consumed drugs.¹²⁰ Because of Amsterdam's 'international status' which attracts many visitors from abroad and the government's ambivalence vis-a-vis soft drugs, it serves as an attractant for those individuals interested in using drugs. Correspondingly, the annual statistics on drug-related deaths show a majority share being foreigners. Lastly, it is worth observing that a fair to majority amount of the drugs entering Dutch territory are in transit to other European destinations. Hence, the Netherlands, more often than not, is a transit state.

3.2.6.10 Italy

Italy is Europe's other principal importer of heroin and fifth major importer of cannabis and cocaine based on seizure data for the period 1983 - 1986. Cannabis is the most widely available and consumed drug. Chemical and psychotropic substances are also readily available with LSD being the notable drug of abuse. Italy ranks first in overall seizures of LSD and depressants. The majority of heroin originates from Southwest Asia and the Middle East. Based on 1985 data, 40.5% of all heroin imported came from the Golden Crescent via India while another 38.9% came from Turkey and Lebanon.¹²¹ The Golden Triangle provided 18.2%.¹²² In terms of origin, cocaine imports are split between Colombia, Bolivia and Brazil. Cannabis imports are

divided between hashish and marijuana with the former accounting for 83.6% and the latter accounting for 16.4%. The majority of hashish imported comes from Morocco and Southwest Asia while much of the marijuana imported originates in Ghana, the Ivory Coast and Nigeria. Conversely, most of the psychotropic substances found on the illicit market are either obtained from illicit laboratories within the country or diverted from pharmaceutical supplies. Table 3.17 presents a summary on Italian drug seizures.

Table 3.17 Italian Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Stimulants (kgs.)	LSD (d.u.)	Others (kgs.)
1983	5,169.584	223.368	313.585	36.460	71.227	133,640	9.719
1984	6,043.192	73.275	456.472	3.502	0.543	1,630,518	22.043
1985	1,443.061	111.851	276.008	10.467	0.320	20,581	3.545
1986	16,026.658	129.474	333.191	9.262	1.313	530,537	13.961
1987	13,030.950	329.776	323.131	2.970	5.811	N/A	9.402
<u>Sources:</u> UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1989/CRP.5.							

Two interesting trends are to be noted concerning the Italian drug scene. The first is the increasing dimension of polydrug use, particularly heroin in conjunction with other narcotic or psychotropic substances. The second is the change in the type of heroin addict. In the past they were considered "physically numb and mentally ravaged," but now they appear to be a "product of the contemporary cultural and social setting devoted to an exasperated consumption, able to manage the use of [a] narcotic drug in a regular family and working life."¹²³ According to a survey by the health authorities, heroin is the most heavily abused drug while cannabis is the most widely consumed drug.¹²⁴ The distinction here being one of severity

in affect. In terms of the types of offences committed, heroin dominates the trafficking category while cannabis accounts for two thirds of all possession for personal use offences.¹²⁵ More than 61% of all individuals arrested for drug offences are between 18 - 25 years in age.¹²⁶ A more sombre statistic is the fact that there have been more than 20,000 drug-related deaths in the decade up till 1987. As observed elsewhere, the Italian drug scene follows the familiar pattern of concentration in the larger urban areas. The Provinces of Lombardia, Lazio and Campania which respectively have the cities of Milan, Rome and Naples see the highest level of drug consumption. After the U.S.A., Italy is believed to have the second largest heroin and cocaine user populations of all the OECD states (See Table 3.4).

3.2.6.11 France

Heroin and cannabis are also the most prevalently abused drugs in France. Hashish use is virtually a tradition dating back to the 19th century.¹²⁷ The presence of heroin as an illicit commodity dates back to the 1930s when the country first became a heroin processing centre supplying the 'French Connection'. Today, France has the third largest cannabis user population amongst the OECD group after the U.S. and Spain and one of the more significant heroin user populations in Europe (See Table 3.4). Cocaine appears to be the upcoming trend. France was the first European country to experience the intrusion of the cheap and highly addictive form of cocaine called 'crack'. In 1986 more than 3 grams of it was seized in Nice.¹²⁸ Based on seizure statistics for the period 1983 - 1986, France ranks fourth amongst the European OECD states in both cocaine and cannabis importation and

fifth in heroin importation. In the psychotropic category LSD and methaqualone appear to be the preferred substances. The majority of heroin comes from the Golden Crescent and Lebanon while the Golden Triangle provides the remainder. Some of the heroin entering France is in transit to Italy and the Netherlands. This scene contrasts with the previous decade (early to mid-1970s) when Southeast Asia provided at least half, if not most, of the heroin imported. Much of the cocaine entering France transits Spain and Portugal first. Morocco, Lebanon and Southwest Asia are the principal sources of hashish. Table 3.18 sums up French drug confiscatures. Like elsewhere in Europe hard drug use is concentrated in the larger urban areas. Paris and Marseille are the two most prominent cities experiencing drug abuse on a high level. In the 1980s drug-related deaths have averaged over 200 per year with roughly 80% of them attributable to heroin.

Table 3.18 French Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Stims. (kgs.)	LSD (d.u.)	Others (kgs.)
1983	23,488.365	229.426	168.290	2.772	0.582	21,319	0
1984	31,475.882	122.436	208.756	9.781	1.680	28,389	23.325
1985	8,247.814	95.960	277.586	5.077	0	11,088	1.139
1986	13,776.731	246.005	219.967	9.456	1.643	11,258	14.372
1987	12,613.253	754.090	213.374	4.362	7.458	13,766	0.635
Sources: UN Docs. B/CN.7/1987/CRP.6 & B/CN.7/1989/CRP.5.							

3.2.6.12 The Federal Republic of Germany

West Germany ranks third amongst the European group of OECD states in the confiscature of cocaine, LSD and stimulants based upon seizure data for the period 1983 - 1986. Heroin and cannabis seizures, on the other hand, lag behind those recorded in the other

European OECD states. Psychotropic substances are the most widely abused drugs. Among the more commonly consumed psychotropic substances are amphetamines, benzodiazepines, other depressants and tranquillizers. The Federal Government estimates there are about 400,000 persons dependent on such substances while West Germany's National Council on Addiction Problems puts the figure at 800,000.¹²⁹ Contrastingly, the estimate of the number of outright users of hard drugs (ie. cocaine, heroin and LSD) is put at 200,000.¹³⁰ The extent of cannabis consumption is unknown though a minimum figure has been proffered. The Golden Crescent, specifically Pakistan and Afghanistan, accounts for the majority of heroin found in West Germany while the Golden Triangle provides a minor share. The sources of cannabis are more diverse with Morocco, Lebanon, Nigeria, Ghana and Colombia all being contributors. The latter state is also the prominent source for most of the cocaine found within the country. Conversely, most psychotropic substances are either synthesized domestically or imported from neighbouring states. Table 3.19 presents a summary of West German drug seizures.

Table 3.19 Drug Seizures In West Germany For The Years 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Stims. (kgs.)	LSD (d.u.)	Others (kgs.)
1983	4,605.619	107.340	259.957	24.232	23.794	41,848	14.522
1984	5,646.012	171.073	263.801	11.573	14.832	40,951	2.340
1985	11,503.142	164.781	207.993	11.200	20.826	30,536	10.100
1986	2,677.822	186.478	157.156	9.588	88.768	22,237	254.039
1987	3,030.426	263.418	278.337	12.476	80.681	(1.52 kgs.)	382.197
Sources: UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1989/CRP.5.							

West German drug abuse replicates the pattern found in most

other countries with the large urban areas experiencing the highest concentrations of drug use. Berlin and Hamburg, in particular, have been associated with drugs since the late 1950s. The modern drug scene and culture descends from the drug era of the 1960s. The latter era, in turn, owes its manifestation to the prevalency of drug consumption during the occupation period following World War II. Today, cocaine use is the growing trend.

3.2.6.13 Belgium

Though of relatively small size Belgium experiences a considerable influx of illicit drugs. Based on seizure statistics for the period 1983 - 1986 it ranks sixth in cannabis importation and seventh in both heroin and cocaine imports amongst the European OECD states. Comparatively speaking, the other drug categories play an insignificant role. A fair portion of the drugs entering Belgium are destined for neighbouring countries. Hence, it is difficult to differentiate with precision the sources of those drugs consumed domestically from those in trans-shipment for other states. Basically, the drug sources described previously for other northern European states are also the sources of Belgium's illicit drugs. A review of literature on the subject indicates that comprehensive epidemiological studies on the extent of drug use in Belgium are lacking or unpublished. Cannabis appears to be the most widely consumed drug while heroin maintains a stagnant secondary position. Use of the latter stems largely from the longstanding popularity it possesses among the country's disaffected, unemployed, young and the anti-establishment subculture. Like elsewhere in Europe, cocaine use is

the growing trend. Conversely, LSD use is small. In the stimulant category amphetamine is the substance most commonly ingested. Drug use is concentrated in the larger cities, but because of the infrastructural integration of the country drugs are easily distributed and readily available throughout Belgium. In the period 1980 - 1985 the Bureaus of Meer (1,049), Vise (633), Zaventem (376), Putte (156) and Mons (158) recorded the highest number of drug confiscatures.¹³¹ Table 3.20 provides a summary of Belgian drug seizures.

Table 3.20 Belgian Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Stimulants (kgs.)	LSD (d.u.)	Others (kgs.)
1983	13,525.264	24.754	91.290	0.621	2,735	0.559
1984	6,331.460	101.178	134.224	3.768	2,786	0.414
1985	23,000.000*	61.915	91.961	0.320	1,346	0.309
1986	3,791.222	115.884	77.073	2.350	639	1.775
1987	6,570.833	269.714	140.695	9.030	6,467	7.879
* - figure is an approximation due to data divergence.						
Sources: UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1989/CRP.5 as corroborated/corrected by Belgian Customs statistics.						

3.2.6.14 Portugal

The dominant drugs in the Portuguese drug scene are cannabis and heroin. Though cocaine seizures are significant and increasing it must be noted that most of it is in transit to other European states. Portugal ranks sixth in cocaine seizures in Europe for the period 1983 - 1986. Comprehensive epidemiological data is non-existent. In the period referenced above 85.4% of the cannabis consumed was hashish while the remainder was marijuana. Most of the hashish consumed comes from Morocco, either directly or via Spain, while a minor portion comes from Lebanon and Afghanistan. In contrast, the principal for-

eign sources of marijuana appear to be Angola and Mozambique. However, at least half of the annual quantity of marijuana consumed is cultivated within the country. In regards to heroin, Pakistan, Thailand, Lebanon and India, in that order, are the source countries. Nigeria is the most prominent transit state for heroin imported to Portugal while France, Denmark, Spain and the Netherlands all play secondary roles. Similar to the heroin importation scene, the trafficking of cocaine into Portugal likewise exhibits a more diversified and complex pattern. Nearly all of it comes from Brazil, Colombia, Bolivia and Peru but often transits other South American countries or Angola before arriving in Portugal. Other stimulants used include amphetamine and methamphetamine while barbiturates and methaqualone constitute the major depressants of abuse. Table 3.21 offers a summary on drug confiscatures in Portugal.

Table 3.21 Portuguese Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Others (kgs.)
1983	1,079.685	46.464	5.840	2.554
1984	6,386.602	60.392	18.195	0.021
1985	2,557.669	69.964	3.525	0.057
1986	5,531.910	164.668	18.843	0.647
1987	4,935.085	222.123	29.908	0.042
<u>Sources:</u> CICD/PJ, <u>Principais Drogas Apreendidas Pelos Organismos De Repressao</u> (Lisboa, 1987), Stat. Table & UN Doc. E/CN.7/1989/CRP.5.				

The small size of Portugal ensures that consumption trends are readily diffused throughout the country. On the whole, though, drug abuse is not as severe as in other European states. Most drug use tends to occur in the larger urban areas. An analysis of patients in

treatment and rehabilitation centres indicates that drug addiction affects all social strata. Based on 1984 - 1986 data about 65% of the heroin addicts admitted for treatment are over 21 years of age.¹³² Consequently, drug addiction among the young is not as severe as elsewhere in Europe. While heroin accounts for 95% of all addiction cases it is anticipated that cocaine is the future drug of concern. Between 1984 and mid-1987 5,288 individuals were detained or investigated for drug offences. Of the total number attainted in 1985 and 1986 56.1% were convicted for consumption, 35.8% for trafficking and 8.1% for combined offences.¹³³

3.2.6.15 Greece

Comparatively speaking, drug abuse in Greece is a minor social problem. A comprehensive survey structured to encompass the entire country was conducted in the mid-1980s.¹³⁴ The survey identified a total of 9,684 known cases of drug use and abuse between 1973 - 1983. Cannabis is the most prevalently consumed drug followed, on a much lesser scale, by heroin. A minor amount of polydrug use occurs involving LSD and either hashish or heroin. The use of amphetamines and barbiturates is negligible. Where consumed these drugs have usually been acquired by theft from pharmaceutical supplies or through the use of false prescriptions. Of the total number of survey respondents 52.42% used cannabis, 30.34% injected heroin and 17.24% combined LSD with either of the former two.¹³⁵ Drug consumption is largely a male affair. Men accounted for 91% of all illicit drug intake during the ten-year period reviewed.¹³⁶ Women, on the other hand, frequently abuse over-the-counter tranquillizers. It is believed that entrenched

socio-cultural controls are responsible for preventing women from becoming involved in illicit drug use.¹³⁷ The age bracket for which the highest frequency of abuse occurs is between 20 - 39 years of age.¹³⁸ By far, Greater Athens has the largest proportion of drug users and addicts. Thessaloniki, Patra and Larissa are secondary sites. Additionally, some of the Greek islands such as Corfu, Crete and Rhodes see a higher frequency of drug use than otherwise would be expected due to the presence of tourists.¹³⁹ Drug use by the resident islanders is negligible, but tourists import drugs to complement their recreation, entertainment and relaxation activities. Domestic cultivation provides 70% of the cannabis consumed within Greece by the indigenous population. The balance of cannabis consumed is hashish obtained from Lebanon, Turkey and South Africa. In contrast, most of the heroin consumed is imported. About 50 - 60% of it comes from Turkey itself or from the Golden Crescent via Turkey. Minor amounts are imported from India and the Golden Triangle while a small percent of undetermined origin comes by car from Belgium, Italy and the Netherlands. The odd amounts of LSD found in Greece originate in Europe. Table 3.22 reviews Greek drug seizures.

Table 3.22 Greek Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Others (kgs.)
1983	N/R	0.176	14.929	1.103	Minute
1984	2,088.487	0.189	7.263	5.700	Minute
1985	2,035.417	0.049	9.870	0.090	Minute
1986	N/R	3.000	55.000	0.156	0.703
1987	24,115.025	26.298	73.633	0.759	5.523*
* - data for Athens only.			N/R - data not reliable		
Sources: UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1989/CRP.5.					

3.2.6.16 Turkey

Little hard information exists on the extent of drug use and abuse in Turkey. Most law enforcement bodies consider Turkey primarily a transit state of key importance in the distribution of Golden Crescent and Lebanese opiates and hashish because of its intermediate location between select source areas and Europe. Extensive refining of opium to either morphine or crude grades of heroin occurs within the country in covert laboratories. It is estimated that between 3 - 4 m.ts. of heroin transit the country yearly.¹⁴⁰ Considering the relatively large size of the country and its population and bearing in mind Turkey's historical involvement with opiates and adjacent location to major drug-producing states, it is remarkable that the degree of drug abuse is as insignificant as it appears to be. Primary consumption is limited to cannabis and opiates while barbiturates - benzodiazepines in particular - and other tranquillizers are abused on a minor scale. Between 1982 - 1984 the total number of new addicts identified to the Ministry of Health And Social Assistance was 1,220.¹⁴¹ Opiate addicts were the largest category accounting for 31.1% of the total. Interestingly, the number of new cannabis and barbiturate addicts was virtually even with the former accounting for 24.2% and the latter accounting for 23.9%. Polydrug use accounted for the fourth grouping with 20.8%. The majority of opiates, regardless of form, enter the country by horseback and muleback across Turkey's rugged 480-km. frontier with Iran.¹⁴² Aside from the portion of opiates obtained by diversion from licit production and some minor illicit cultivation, it is presumed that most of the opiates consumed in Turkey are of Iranian origin. Of all the countries analysed so far

Turkey is unique in that it sees the highest use of opiates aside from heroin. Opium, codeine, morphine-base, diionine and heroin-base are all consumed. Most of the cannabis consumed is hashish from either the Golden Crescent or Lebanon. Cannabis is grown domestically. In the period 1985 - 1987 more than 17.3 million plants were seized.¹⁴³ The anomaly here is that Turkey is not recognized as a cannabis producer nor a heavy consumer yet the combined quantities of imported hashish and domestic cultivation make for a large supply which is not fully accounted for in transit trade. Regrettably, this creates the nagging suspicion that both cannabis consumption and export must be higher than that acknowledged or recognized. Most of the psychotropic substances consumed are imported and come from Europe. Table 3.23 summarizes Turkish drug seizures.

Table 3.23 Turkish Drug Seizures In The Period 1983 - 1987.

Year	Cannabis (kgs.)	Heroin (kgs.)	Morphine (kgs.)	Opium (kgs.)	All Others (kgs.)
1983	2,358.000	288.000	154.000	20.000	0
1984	2,493.000	265.000	99.500	0	0
1985	6,136.046	102.249	90.985	2.000	0
1986	3,103.777	172.100	58.686	79.427	Minute
1987	3,592.689	1,331.969	350.439	23.857	0.051
<u>Sources:</u> UN Docs. E/CN.7/1987/CRP.6 & E/CN.7/1989/CRP.5					

3.2.6.17 The Scandinavian Drug Scene

Compared to nearly all other OECD states drug consumption in the Nordic countries is low. Overall, the population of hard drug users in all five countries has been stable for the last few years. Cannabis in the form of hashish is, by far, the most widely consumed drug with amphetamines and heroin being of secondary importance. Cocaine

use is relatively insignificant though Denmark and Sweden have seized small amounts. Because of the manner in which epidemiological studies and statistical analyses are done in the Nordic countries, confiscature figures are all that is available for determining the extent of consumption aside from qualitative analyses.

Denmark is considered the 'Amsterdam' of the Nordic countries because of the ready availability of all drugs, comparatively low street prices and geographical position as gateway to Scandinavia. Cannabis use is extensive while heroin use is deemed wide-spread and both are stable.¹⁴⁴ Cocaine use is the growing trend but it has only been detected in the big cities to date. Denmark produces a fair amount of the cannabis it consumes. For 1986 and 1987 combined, production was estimated to be 5.5 m.ts.¹⁴⁵ Opium plants have also been found but their presence should not be construed as definitive cultivation. Much of the amphetamine found in Denmark is either illicitly manufactured in the country or diverted from domestic pharmaceutical supplies. Other diverted chemical and psychotropic substances of abuse are amfepramon, diazepam, ketobemidone and methadone. Table 3.24 provides both a summary of Danish drug seizures and comparative analysis of drug seizures among the Nordic countries. The principal city experiencing drug abuse is Copenhagen while secondary sites include Aalborg, Aarhus, Frederiksberg and Viborg.¹⁴⁶

Sweden has the largest population of hard drug users of all the Nordic countries with between 10,000 - 14,000 heavy users; of which 7,500 - 10,000 are intravenous abusers.¹⁴⁷ Compared to a population of 200 drug abusers in the 1930s there has been a gigantic increase in drug abuse.¹⁴⁸ The 1960s were deemed the period of explosive growth in

Table 3.24 Drug Seizures In Scandinavia For The Years 1983 - 1986.

Country	Cannabis (kgs.)	Cocaine (kgs.)	Heroin (kgs.)	Morph./Opium (kgs.)	Stimulants (kgs.)	LSD (d.u.)	Others (kgs.)
DENMARK	3,615.191	50.273	69.225	0.383	11.844	526	17.388
FINLAND	50.927	0.037	1.561	0.048	3.263	120,026	0.403
ICELAND	52.440	0.076	Minute	0	4.632	3,000	0
NORWAY	1,045.704	1.610	17.887	0.320	56.964	2,472	37.984
SWEDEN	3,228.958	47.393	13.877	4.850	350.915	40,652	0.445
Sources:	UN Docs. E/CN.7/1987/CEP.6 & E/CN.7/1988/CEP.8. Iceland figures from <u>Narkotika-situasjon I Island 1987</u> (Reykjavik, 1987), p. 12.						

Swedish drug use. Hashish and CNS stimulants are the principal drugs consumed today. Cannabis is produced domestically, but the extent of cultivation is unknown. In the period 1984 - 1987 5,310 cannabis plants were confiscated.¹⁴⁹ Poppy plants totalling 13.201 kgs. were also seized.¹⁵⁰ Most of the amphetamine is obtained domestically from illicit manufacturing and diversion from licit sources. Like elsewhere in Europe drug use is concentrated in the big cities. Stockholm has 3,000 - 4,500 hard-core addicts and Malmo-Lund and Gothenburg each have between 1,400 - 2,000 addicts.¹⁵¹ However, due to a unique anti-drug crusade by the Gothenburg police actual heroin consumption within the city is nil.¹⁵² Instead, Gothenburg's resident heroin addicts travel to either Malmo-Lund, Stockholm or Denmark to indulge in heroin consumption.¹⁵³ For data on Swedish drug confiscatures refer to Table 3.24 above.

Norway's total user population is estimated to be around 60,000 of which 8,000 - 12,000 consume hard drugs regularly.¹⁵⁴ Cannabis cultivation does occur, but it is very limited and must be labelled embryonic or experimental. Hashish is the drug most abundantly consumed followed by amphetamines and heroin. Most of the amphetamine is

obtained by diversion from pharmaceutical supplies or illicitly imported from Sweden and Denmark. The most common chemical and psychotropic substances abused are dextropropoxyphene, diazepam, flunitrazepam and phentermine. In 1986 nearly 37 kgs. of depressants were seized thus creating an unusual fluctuation in the annual statistics. Table 3.24 presents the Norwegian seizure data. Oslo has the largest proportion of the drug using population.

Finland and Iceland constitute a sublevel of Scandinavian drug abuse due to their relatively minor levels of drug consumption *vis-a-vis* the others and similarity in structure and pattern of drug usage. Cannabis is the most prevalent drug with stimulants running a distant second. Heroin and cocaine are virtually non-existent. Based on recorded cases of drug use, Helsinki is, by far, the principal site of drug consumption in Finland accounting for nearly 40% of all such cases. With Espoo, Lahti, Tullihallitus volvontatso, Turku and Vantaa added in more than 71% of all drug cases are accounted for. Table 3.25 provides an analysis of urban use while Table 3.24 portrays Finnish drug seizures. Finland recorded 38 cases involving the diversion of chemical and psychotropic substances in 1986 and 1987 combined.¹⁵⁵ Among the substances diverted were triazolam, pentazocine, pethidine, phenobarbital, diazepam and lorazepam. Reykjavik accounts for 33% of all drug consumption in Iceland. Approximately 20,000 Icelanders between the ages of 16 - 36 have tried cannabis.¹⁵⁶ The hashish consumed is of Lebanese or Moroccan origin and imported via Europe. Between 100 - 400 kgs. enter Iceland annually.¹⁵⁷ Amphetamines along with dexamphetamines, methylamphetamines and amfepramon are substances of growing consumption.

Table 3.25 Principal Cities Of Drug Consumption In Finland.

City	Number Of Cases Per Annum				4-Year Sums
	1983	1984	1985	1986	
Helsinki	488	500	502	403	1,893
Espoo	92	86	112	93	383
Lahti	52	57	2	86	197
Tullihallitus Volvon.	21	58	74	78	231
Turku	63	107	64	116	350
Vantaa	89	97	83	56	325
Rest of Country	284	231	426	429	1,370
ANNUAL TOTALS	1,089	1,136	1,263	1,261	4,749
Sources: Keskusrikospoliisi, Tiedotustoimisto 1983/4/5/6 (Helsinki, 1984/5/6/7).					

Notes And References For Chapter III.

1. Because geography is not a pure science but a study in amalgamation of various natural and social factors, which can be clearly attributed to other branches of science, to explain phenomena there can be several definitions of the field. This author holds the view that the particular focus of a study or thrust of a research project will affect the perceptions one has of the definition of geography. While the definition proffered here may be biased or lacking it fulfills the requirements demanded in the research and, to that extent, is valid.
2. Cannabis is a rampant plant that is found throughout the world in the tropical, subtropical and temperate zones. Under controlled conditions it can grow in climatic environs generally not suited for it and which it would not normally propagate to if permitted. Examples are the higher latitudes of the temperate zones bordering on the sub-polar zones. Areas incorporated in the latter zonal range are found

in Canada, Denmark, Finland, Norway, Sweden and Japan in the northern hemisphere and lower Argentina, New Zealand and Tasmania in the southern hemisphere. However, in terms of bulk trade the origin points can be demarcated relatively well.

3. SPO, Narcotics Control In Turkey (Ankara, January 1986), pp. 4-5 in conjunction with H. Kamm, "Drugs Flow Via Turkey Is Said to Rise," International Herald Tribune, July 18, 1986 (Paris), p. 3.

4. As late as 1967 there is specific reference to opium coming out of China. See UN Doc. E/NS.1967/Sum. 8, Case No. 275 on page 14 where 4.989 kgs. of Yunnan opium were seized in Singapore.

5. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 25.

6. Ibid.

7. Data is derived from the RCMP's NDIEs covering the years cited.

8. NNICC, NIE 1984 (Washington, D.C., 1985), p. 56.

9. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 25.

10. BINM, INCSR - March 1987 (Washington, D.C.), p. 27 and RCMP, NDIE 1987/88 (Ottawa, 1988), pp. 26-27.

11. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 71.

12. Ibid, p. 78.

13. The use of the term 'experimental' as used here refers to the small-scale operations and activities in cannabis cultivation employing sophisticated agricultural practices and techniques to promote growth and enhance quality and yield of the plant in areas beyond the natural propagation range of the plant, or where its yield would be otherwise poor. The use of greenhouses, indoor artificial environments, hydroponic cultivation and cloning are typical methods. On the simple level indoor pot-planting and attention-intensive garden plots (in terms of labour, cost and effort) are further examples. These types of activities have been employed in Canada, the U.S.A., Denmark, Sweden, Finland, New Zealand and the U.K.

14. RCMP, NDIE 1984/5 (Ottawa, 1985), p. 60.

15. UN Doc. E/CN.7/1987/CRP.6, p. 57.

16. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 75.

17. The information presented is mostly derived from Canadian intelligence reports but the latest available issue (RCMP's NDIE 1987/88) failed to cite these two states though earlier annual reports did in-

clude them among the significant areas of cultivation in Mexico.

18. UN Doc. E/CN.7/1988/CRP.8, p. 62.
19. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 75.
20. Ibid, p. 78.
21. ONCB, TNAR 1985 (Bangkok, 1986), p. 19.
22. Ibid.
23. Extracted from data found in the RCMP's NDIE 1985/6 (Ottawa, 1986), p. 79, NDIE 1986/87 (Ottawa, 1987), p. 78 and NDIE 1987/88 (Ottawa, 1988), p. 85.
24. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 79.
25. Ibid.
26. Ibid.
27. Ibid.
28. UN Doc. E/CN.7/1988/CRP.8, p. 63.
29. Ibid, p. 19.
30. BINM, op. cit., p. 21.
31. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 74.
32. Ibid.
33. DEA, Quarterly Intelligence Trends, Vol. 12, No. 2 (1985), p. 6.
34. The US figure is from the BINM's INCSR - March 1987 (Washington, D.C.), p. 30 and the Canadian figure is derived from calculations done on figures provided in the RCMP's NDIE 1985/6 (Ottawa, 1986), p. 74.
35. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 42.
36. RCMP, NDIE 1987/88 (Ottawa, 1988), p. 49.
37. Ibid, p. 51.
38. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 42.
39. Ibid.
40. Ibid.
41. Ibid.
42. See the RCMP's NDIE 1986/87 (Ottawa, 1987), p. 46 and NDIE 1987/88 (Ottawa, 1988), p. 53.
43. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 46.
44. Ibid, 47.
45. Ibid, 50.
46. D. J. Blakemore & D. Haigh, A Strategic Study - Cocaine (Christchurch: NZ Customs Dept., December 1986), p. 2.

47. UN Doc. E/INCB/1985/1, p. 28.
48. ACS - Central Office Intelligence Sec., Illicit Drugs 1986 (Canberra, July 1987), p. 7.
49. Estimation is derived by subtracting domestic consumption of coca (48,500 +/- 4,500 m.ts.) from total illicit production (170,060 +/- 18,260 m.ts.). Figure for domestic consumption within producer countries is taken from the RCMP's NDIE 1985/6 (Ottawa, 1986), p. 41 (Figure 21).
50. The list of producers is derived from Col. 2 of Table XI of UN Doc. E/INCB/1984/5. Comparative analysis was made of all countries' respective production figures to ascertain the principals. In calculating the production sums for each country the following categories of drugs were excluded because they are subsumed in categories discussed elsewhere in the text: cannabis and cannabis resin, coca, cocaine, codeine, concentrate of poppy straw, heroin, morphine, opium and thebaine. A minimum production level of 900 kgs. (0.9 m.ts.) was used as the cut-off point.
51. UN Doc. E/INCB/1985/1, pp. 23 & 49.
52. Ibid, pp. 22 & 32.
53. NNICC, op. cit., p. 37.
54. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 63.
55. NNICC, op. cit., pp. 39 & 41.
56. MHW, A Brief Account Of Drug Abuse And Countermeasures In Japan (Tokyo, 1986), p. 5.
57. UN Doc. E/INCB/1985/1, p. 32.
58. Ibid, 30.
59. Though figures have ranged from 5 million to 22 million the figure of 12 million has rather consistently appeared in diverse sources. See for example the UK House of Commons, Home Affairs Committee, Misuse of Hard Drugs [Interim Report] (London: HM Stationery Office, 1985), p. iii and R. Evans, "Armed services aid urged by MPs to combat drugs war," The Times, May 24, 1985 (London), p. 1.
60. T. E. Ricks, "Inside Dope," The Wall Street Journal, June 30, 1986 (New York), pp. 1 & 16.
61. SDRI, Drug Abuse In The Context Of Development: Prevention,

Treatment And Rehabilitation (Rome, May 1987), p. A.II-15.

62. MHCA, National Plan On Drugs [information brochure] (Madrid, 1986), p. 19.

63. FCO, "International Response To Drug Misuse," Background Brief (London, March 1987), p. 1.

64. UN Doc. E/CN.7/1987/9, pp. 8-9.

65. Ibid.

66. Source of data is the NNICC's NIE 1984 (Washington, D.C., 1985), p. 37 while the equation is based on 10 million d.u. being equal to 1 kg.

67. NDIU, Drugs Arena, No. 3 (London, 1986), p. 8.

68. UN Doc. E/INCB/1985/1, pp. 48-49.

69. UN Doc. E/CN.7/1987/9, p. 4.

70. Canadian Customs & Excise, 1985 Drug Report (Ottawa, 1986), p. 65.

71. BINM, op. cit., pp. 26 & 31.

72. Ibid, pp. 27, 32 & 50.

73. NNICC, op. cit., p. 47.

74. Ibid.

75. BINM, op. cit., p. 3.

76. NDIU, op. cit., p. 9.

77. Figures are a composite of annual figures taken from the RCMP's NDIE for various years.

78. RCMP, NDIE 1985/6 (Ottawa, 1986), p. 12.

79. Ibid, p. 36.

80. NPA, DPIJ 1986 (Tokyo, 1986), p. 26.

81. MHW, op. cit, p. 11.

82. Percentage figures derived by author from data published in the NPA's DPIJ for the years 1980 - 1985.

83. NPA, DPIJ 1986 (Tokyo, 1986), p. 4.

84. The level of intake required for toxicosis is between 0.6 - 1.8 grams over 2 to 3 months. Source of the values is the NPA's DPIJ 1986 (Tokyo, 1986), p. 5.

85. MHW, op. cit., p. 5.

86. The first was the Australian Royal Commission of Inquiry Into Drugs, commonly referred to as the Williams Report, which published its findings in 1980 while the second was the Royal Commission Into

Drug Trafficking in New South Wales, commonly called the Woodward Report, which gave its results in 1979.

87. AFP, Illicit Drugs In Australia - Situation Report 1986 (Canberra, July 1986), p. 21.

88. ACS - Central Office Intelligence Sec., Illicit Drugs 1986 (Canberra, July 1987), p. 12.

89. Ibid, p. 17.

90. AFP, op. cit., p. 23.

91. ACS - Central Office Intelligence Sec., Illicit Drug Importations/Seizures - 1984 And Beyond (Canberra, 1985), Annex D.

92. The figures presented for heroin are an amalgamation of those (283.8 - 1,168 kgs.) taken from the same document referenced in the prior footnote and those (537 - 1,074 kgs.) found on p. 13 of the ACS - Central Office Intelligence Sec.'s Illicit Drugs - Interception At The Australian Customs Barrier 1985 And Outlook For 1986 (Canberra, 1986).

93. ACS - Central Office Intelligence Sec., Illicit Drug Importations/Seizures - 1984 And Beyond (Canberra, 1985), Annex D.

94. Ibid.

95. AFP, op. cit., p. 27.

96. I. Dobinson & P. Ward, "Heroin And Property Crime: An Australian Perspective," Journal of Drug Issues, Vol. 16, No. 2 (Spring 1986), pp. 249-262.

97. NDIB, Drug Summary (Wellington, 1987), p. 2.

98. NDIB, Cannabis Overview (Wellington, September 1987), p. 11.

99. Ibid, p. 1.

100. Ibid, p. 7.

101. NDIB, Drug Summary (Wellington, 1987), p. 27.

102. NDIB, Overview Of The New Zealand LSD Situation 1/1/86 - 31/3/87 (Wellington, 1987), p. 1.

103. European Parliament, Recommendations Of The Inquiry Committee On The Drugs Problem In The Member States Of The European Community (Brussels, September 1986), p. 9.

104. UN Doc. E/CN.7/1988/CRP.8, p. 69.

105. H. Austin, et al, "Smack, Crack, Crime - Drugs Panic: reality and myth," The Sunday Times, July 13, 1986 (London), p. 25.

106. M. Brown, "The habit that goes with hits," The Sunday Times, July 13, 1986 (London), p. 25.
107. UKHO, Tackling Drug Misuse: a summary of the government's strategy, 2nd ed. (London, 1986), p. 5.
108. Figures represent an amalgamation of data found in UN Docs. E/CN.7/1988/CRP/CRP.8, p. 18 and E/CN.7/1989/CRP.5, p. 18.
109. Fay, (personal communique from Drug Statician, Crime Branch, Garda Siochana in Dublin dated 10 July 1987).
110. MHCA, op. cit., p. 19.
111. See UN Docs. E/CN.7/1988/CRP.8, p. 18 and E/CN.7/1989/CRP.5, p. 18.
112. Derived from statistics on drug deaths in the MHCA's Plan Nacional Sobre Drogas - Memoria 1986 (Madrid, 1987), p. 103.
113. Ibid, p. 99.
114. CRI, Jaaroverzicht 1986 van de Verdovende Middelen Centrale (The Hague, 1987), p. 11.
115. A. J. van Doorn, (interview with Deputy Head of the Narcotics Branch, National Criminal Intelligence Service of the Netherlands in The Hague on 10 February 1988).
116. Ibid.
117. Ibid.
118. Ibid.
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120. DND, "Review of drug abuse and measures to reduce the illicit demand for drugs by region," Bulletin On Narcotics, Vol. XXXIX, No. 1 (1987), pp. 3-30.
121. Ministero dell'Interno, Attivita' Antidroga Delle Forze Di Polizia Nel 1985 (Rome, 1986), p. V.
122. Ibid.
123. Ministry of Interior (Italy), "Permanent Observer On Drug Abuse" (Rome, 1987), p. 3.
124. Ministero dell'Interno, op. cit., Table 9.
125. Ibid, Tables 6 & 7.
126. Ministry of Interior (Italy), op. cit., p. 10.
127. The existence of Gautier's Les Club des Haschichins in the 19th

century is illustrative of this point.

128. "La Brigade De Recherche De Nice," La Vie de la Douane, No. 205 (1987), pp. 48-53.

129. Press & Information Office of the Federal Government, Drug Abuse Control [Information pamphlet] (Bonn, 1987).

130. European Parliament, op. cit.

131. ADA, Annual Reports for 1980/1/2/3/4/5 (Bruxelles, 1981/2/3/4/5/6).

132. GPCCD, Annual Reports for 1984/5/6 [Unreleased] (Lisbon, 1985/6/7).

133. Percentage figures extracted from GPCCD's Annual Reports for 1985 & 1986 [Unreleased] (Lisboa, 1986 & 1987).

134. D. Madianou, M. G. Madianos & C. N. Stefanis, "Preliminary results of two nation-wide epidemiological studies of drug use in Greece: a study of known cases and a general population survey," Bulletin On Narcotics, Vol. XXXIX, No. 2 (1987), pp. 59-65.

135. Ibid.

136. Ibid.

137. A. Liakos, M. Madianos & C. N. Stefanis, "Alcohol consumption and rates of alcoholism in Greece," Drug And Alcohol Dependence, Vol. 6 (1980), pp. 425-430.

138. D. Madianou, M. G. Madianos & C. N. Stefanis, op. cit.

139. N. Arkoudeas, (interview with Police General of Ministry of Public Order in Athens on 21 April 1988).

140. BINM, op. cit., p. 23.

141. SPO, op. cit., p. 29.

142. H. Kamm, op. cit.

143. UN Doc. E/CN.7/1989/CRP.5, p. 18.

144. Swedish GPO, The Drug Situation In The Nordic Countries (Stockholm, 1987), p. 1.

145. See UN Docs. E/CN.7/1988/CRP.8, p. 61 and E/CN.7/1989/CRP.5, p. 61.

146. Alkohol- og Narkotikaradet, Redegorelse for situationen vedrorende alkohol- og narkotikamisbruget 1984 (Copenhagen, 1985), pp. 19 & 23.

147. B. Svensson, "Measuring Drug Incidence - The Swedish

Experience," Bulletin of the National Swedish Council for Crime Prevention, No. 2 (March 1986), p. 7.

148. B. Holmberg, "Drug Abuse And The Care Of Addicts In Sweden," trans. Stephen Croall, Current Sweden, No. 339 (September 1985), p. 2.

149. See UN Docs. E/CN.7/1988/CRP.8, p. 18 and E/CN.7/1989/CRP.5, p. 18.

150. Ibid, p. 38 in both documents.

151. B. Svensson, op. cit.

152. J. E. Karlberg, (interview with Swedish Police and Narcotics Liaison for the Nordic Countries to Greece in Athens on 18 April 1988).

153. Ibid.

154. T. Fhyn, (interview with Assist. Chief of Police, Politikammer in Oslo on 8 December 1988).

155. See UN Docs. E/CN.7/1988/CRP.8, p. 72 and E/CN.7/1989/CRP.5, p. 72.

156. Narkotikasituasjonen I Island 1987 (Reykjavik, 1987), p. 3.

157. Ibid, p. 14.

IV. THE MARINE GEOGRAPHICAL AND TECHNICAL DIMENSIONS.

4.1 The Macroscopic Perspective

Having analysed the global overview it now falls to defining concomitant geopolitical factors which in turn determine the respective maritime routes of the drug trade. In some instances a drug route, or a fair part of it, is simply a straight line between two points. However, in many cases the routes follow indirect paths, transiting selected ports, islands and countries both incidentally and intentionally. The suitability or conduciveness of a given smuggling route is determined by the correlation between marine geography, political infrastructure and route economics. The latter terms are notional concepts of an operative nature in the minds of drug traffickers based on the interrelationship of the above factors being such that risks and threat are minimized. An applicable synonym for these terms is vulnerability.

Observation of a globe or chart of the world shows a singular pattern of water and land around the planet. The oceans, with 361.7 million sq. kms., account for 71% of the total surface area while land, with 147.3 million sq. kms., accounts for 29%.¹ The land area, however, is not one entity but divided into 7 continents, 43 principal islands and thousands of small islands, islets, atolls and cays; all of which have peculiar shapes, sizes and littoral configurations. Consequently, the water area is segregated into 4 oceans and numerous seas, gulfs, fjords, bays and straits. The interface between land and sea is called

the coastline or littoral zone. Its sum global length is over 350,000 kms. based on general and straight baseline measurements.² Additional water bodies, some of which figure significantly in this study, developed as a result of precipitation, glacial gouging, tectonic isolation and man-related activities. They include lakes, rivers and canals. The 33 major lakes of the world add nearly 1.1 million sq. kms. of water area to the planet.³

4.1.1 Geopolitical Considerations And Assessment Criteria

Because virtually all land areas in the world have some form of political administration or sovereignty superimposed on them the discussion must focus on the role states play in context with their marine geographical endowment. Commensurately, it is germane to include an established doctrine that functions as a prescriptive model fostering the development of the maritime drug trade and thus inherent to the ensuing discussion. Alfred Mahan's The Influence Of Sea Power Upon History, 1660-1783 became the foundation both directly and subliminally for subsequent maritime developments following its publication; particularly among the colonial powers in respect to their colonies and subsequent trade.⁴ Formulated a century ago, Mahan's doctrine on sea power and the powerful maritime state was based on tenable geographical and political factors derived from empirical evidence in which he correlated the acquisition of merchant fleets and expansion of navies in a positive format to endorse seaborne commerce. Arguably, Mahan was unduly influenced by his naval position. Yet, his concepts were equally applicable to the private sector and found favour there. Shipping economics has its underlying roots in his doctrine. However, as the 20th century emerged

Mahan's doctrine lost some of its validity. This was resolved by John Craven who added two modifying principles predicated on Mahanian philosophy thus permitting perpetual applicability of the doctrine so long as commerce, freedom, leisure and war involved the maritime medium.⁵ Their principles (and thus the composite doctrine for modern times) as quoted by Craven are set forth below:

"1. 'The ability of a nation to utilize the sea effectively depends on the topology of the land-sea relationship, with superiority accorded to islands, to singly connected domains such as peninsulas, then to multiple coastlines, and with inferiority accorded to nations having a single access or no access to the sea.'

2. 'The configuration of the coast in terms of the capacity for port and harbor, access to inland waterways and availability of quays' determines the ability of a nation to utilize the sea effectively.

3. 'The number of people in the vicinity of the coast having knowledge and experience of the technology of the sea' dictates the nation's ability to use the sea effectively.

4. 'The character of the people and their government' must be supportive and promote utilization of the sea and acquisition of knowhow.

5. Technology determines the scale of the significant geologistical configurations established for a particular time (i.e., whether an island is an island in the Mahanian sense, or an islet, or a continent).

6. The physical character of the sea, which rewards successful voyages and punishes through its many perils, is a medium which conditions nations, peoples and economic entities in the development of the law and commerce of the sea."⁶

What Mahan and Craven failed to envisage was the possibility that their doctrine may subliminally support and encourage undesirable and negative activities such as drug trafficking. The rationale being that smuggling is commerce, but illicit and covert in nature. The fact that drugs is one of the smuggled commodities has no bearing on it.

The unique geographical positions, configurations and surface morphologies of states determine their participation and involvement in the drug trade. While economics is the main influence the prevailing political and social regimes in a given state also prescribes its

suitability for the drug trade. If the political and social climate appears lax, permissive, corruptible or undefendable then that particular state is vulnerable. This is because the risk of interference - the primary economic factor - is lower and therefore subject to manipulation. Geography can greatly enhance the political and social impuissance by providing natural barriers to the centralization and efficacy of power, consolidation of control and assimilation of values (as observed with far-flung archipelagos and lands of rugged topographical features). Conversely, it may not be the disadvantageous factor. There are situations where, judging by geography alone, a particular island or area is ideal for transshipping drugs due to its proximal location to, or imposing position in the path of, the trade route. However, because the political and social infrastructures are stable, integrated and scrupulous it is deemed hostile to drug trafficking and thus unsuitable. The risk of intervention is likely and high hence, the economic risks and costs are commensurately high. From a geographical standpoint there are several examples of drug traffickers using circuitous and lengthy routes in order to circumvent the more direct paths due to non-conducive social and political climates existing along the latter routes. Because of these tactics law enforcement personnel no longer target their investigations and searches solely on ships coming from traditional source ports.⁷

The effects of geography have created a vast array of trade routes with multivarious trans-shipment points. These are not a simple set of linear flow patterns, but are a complex matrix of trade routes that form networks encompassing the world. To help simplify comprehension of these matrices it is useful to define the primary role a state plays in

the trade, and categorize it accordingly, regardless of whether involvement is voluntary or not. This is accomplished by the analysis of the drugs' function and impact when present in the given society of the state in question. By looking for the net effect of that presence, three categories quickly spring to mind: supply states, demand states and transit states. Supply states are ones where the drugs are cultivated, harvested, sometimes refined and exported. An essential element in defining a maritime supply state is that the vessels carrying drugs exit the supply state's territorial sea and contiguous zone by directly entering the contiguous zone and territorial sea of an adjacent or opposite state or indirectly entering the aforementioned and distant states via the high seas. Demand states are countries where narcotic and psychotropic substances are required because of social or cultural manifestations of desire, craving, and addiction coupled with wealth (the ability to pay). A maritime demand state is defined by the significant use of marine transport modes in the importation of drugs. Transit states are states which serve as viaducts or staging points for the trans-shipment of narcotic and psychotropic substances but which experience a relatively inconsequential level of domestic consumption.⁸ Maritime transit states are denoted by the fact that a fair portion of drugs in transit either enter the territorial limits of the state by maritime modes of conveyance, only to be re-exported at a later moment by those same modes or different modes of transport, or, alternatively, they enter by non-maritime modes of transport but are shipped onwards by sea. Unfortunately, reality does not permit this degree of simplification. Some transit states are also major producers or consumers of drugs in their own right. Hence, failing to recognize the

situation in its proper perspective would be negligent. Consequently, five categories have been employed: supply states, producer/transit states, transit states, consumer/transit states and demand states. The dual categories are used for denoting those states where ambiguity exists on the degree of trans-shipment transpiring relative to domestic production or consumption occurring therein or where there are sufficiently large activities of the former and either of the latter to warrant dual recognition. While the 'consumer/transit' denotation is easily grasped one may query how the classification of 'producer/transit' is possible. The answer is simply that either two different drugs are involved or a producer state is used by a neighbouring producer state to export its drugs. Examples of such states are Colombia and Thailand. Table 4.1 identifies states involved in the maritime drug trade and their roles. There are those who may question the circumstance of a supply state that is also a significant consumer. Examples are Afghanistan and Pakistan. If a supply state consumes all that it produces of a given drug then it has no part in the international trade of that drug. In those supply states where consumption is high but not equal to production the issue hinges on either the quantity exported via the maritime sector or the overall significance of the maritime mode, relative to others that are utilized. If the drug consumed is different from the one produced, then the state is cross-referenced; once under the demand category, provided that the drug consumed, or a fair amount of it, comes by sea. Simultaneously, it is also under the supply category, provided that the drug produced, or a fair portion of it, is exported by sea. It should be borne in mind that inevitably there is some consumption in the supply state since historic-

Table 4.1 Classification Of States' Roles In The Maritime Drug Trade.

SUPPLY	PRODUCER/TRANSIT	TRANSIT	CONSUMER/TRANSIT	DEMAND
Afghanistan	Brazil (C/Co)	Argentina (C/Co)	Australia (C/H)	Canada
Belize	Colombia (C/Co)	Bahamas (C/Co)	Belgium (all)	Finland
Bolivia	Ecuador (C/Co)	Bangladesh (C/O/H)	Denmark (C/Co/H/S)	Iceland
Burma	India (C/O/H)	Cayman Isl. (Ca)	Egypt (C/O/H)	Ireland
Guatemala	Indonesia (C/O/H)	Costa Rica (C/Co)	France (C/Co/H)	N. Zealand
Jamaica	Iran (C/O/M/H)	Chile (Co)	Greece (C/H)	Norway
Laos	Mexico (C/Co/H)	Cyprus (C/O/H)	Italy (C/Co/O/M/H)	Sweden
Lebanon	Pakistan (C/O/H)	Dom. Rep. (C/Co)	Japan (C/H/S)	U.K.
Morocco	Philippines (C/H)	Haiti (C/Co)	Malaysia (C/O/M/H)	U.S.A.
Nepal	Taiwan (C/S)	Honduras (C/Co)	Netherlands (all)	
Nigeria	Thailand (C/O/H)	Hong Kong (all)	Portugal (C/Co/H)	
Peru	Venezuela (C/Co)	Panama (C/Co)	Sri Lanka (C/O/H)	
S. Africa		Singapore (C/O/M/H)	Spain (C/Co/H)	
S. Korea		Syria (C/O/M/H)	Turkey (C/O/M/H)	
		Trinidad (C/Co)	U.S.S.R. (C)	
		Turks & Caicos (C)	W. Germany (C/S)	
<p>Note: C = Cannabis Co = Cocaine H = Heroin M = Morphine O = Opium S = Stimulants</p>				
<p>Source: This table is based solely on net generalizations of states' maritime roles vis-a-vis the drug trade and thus is not to be interpreted as absolute or definitive. The table is derived from a myriad of sources and is the author's interpretation and assessment of intelligence reports, statistical data and qualitative analyses on these states.</p>				

al consumption is what precipitated knowledge of the drug and its effects today.

4.1.2 The Marine Geography Of The OECD States

With various states identified by their role it falls to explaining why from the marine geographical perspective. The coastal member states of O.E.C.D. are analysed imprimis. They are split evenly between the categories of consumer/transit state and demand state and possess more than 30% of the world's coastline. In lieu of the fact that the coastal states of O.E.C.D. total 21 out of a total of 123 coastal states it would appear that they control a disproportionately large amount of the world's land-sea interface.

Australia, Iceland, Ireland, Japan, New Zealand and the United

Kingdom are outright insular entities in the Mahanian sense. All of them are relatively removed from the drug cultivation sites. In tectonic terms, Australia is a one-nation continent of smaller proportion than its counterparts. Located in the southern hemisphere, Australia and New Zealand are separated by the Tasman Sea and collectively surrounded by the Indian Ocean to the west and south and the southern Pacific Ocean to the southeast, east and northeast. Japan, in the northern hemisphere, is separated from the Asian continent by the Sea of Japan and East China Sea with the vast northwestern Pacific Ocean acting as a distance barrier to all points east. Iceland, Ireland and the U.K. are situated in the northeastern Atlantic Ocean with the latter being just 33.3 kms. away from Europe at its closest point. The principal barrier to all points south of Iceland is the North Atlantic Ocean while to the east and north it is the Norwegian Sea and to the west-northwest it is the Denmark Strait. The British Isles, a geographical reference to Ireland and the U.K. collectively, are surrounded to all points west by the North Atlantic Ocean, while to the south it is the Celtic Sea and English Channel that are the intervening water bodies. To the east and northeast it is the North Sea that separates the British Isles from Scandinavia. A tunnel linking the U.K. to the European continent has yet to be completed.⁹

Norway and Sweden combined and Italy by itself respectively comprise peninsulas in the ideal definition. Spain and Portugal constitute the less appropriate Iberian Peninsula while Denmark and Greece are anomalies because of their hybrid forms and positions. Norway and Sweden comprise a massive peninsula which extends southward from its European juncture. It is separated from the lower portion of the con-

continent by the Gulf of Bothnia and the Baltic Sea to the east and southeast and the Kattegat and Skagerrak directly to the south with the Oresund Strait providing its closest approach to the rest of Europe. However, this proximity is somewhat negated by the fact that the Danish territory in question is itself an island of slightly more distance from lower Europe.¹⁰ To the west and north of the Scandinavian Peninsula are the North and Norwegian Seas. A bridge over Oresund connecting Sweden to Denmark has yet to be built.¹¹ Hence, there are only two mediums of conveyance available: air and sea. Importation overland through the U.S.S.R. and Finland results in logistical problems and risks that render the route unattractive to potential smugglers. Though Italy is attached to southern Europe and drugs do enter from the north by terrestrial modes of transport it is more practical to use the atmospheric and maritime mediums for importation. The elongated, thin configuration of Italy jutting far into the Mediterranean Sea with the Adriatic and Tyrrhenian Seas on each side places it astride the trans-Mediterranean shipping routes and in proximity to the Near East, Middle East and North Africa. Hence, it makes a tempting and vulnerable target for drug smuggling by sea, both as an importation and staging point - a fact first recognized half a century ago by the Opium Advisory Committee.¹² An historical analysis of smuggling in the Mediterranean quickly evidences this point. Italy is probably the classic example of Mahan's concept of proper geography being fundamental to commerce - though in this case to the detriment of the state's welfare. The Iberian Peninsula is the westward extension of the European continent thus, technically, overland importation is easily managed. However, in practice significant quantities of drugs do not enter from the northeast over the Franco-Spanish

border in the Pyrenees, but come by sea and air. With the Mediterranean Sea to the east and southeast, the Atlantic Ocean intervening to all points west and the Bay of Biscay to the north, the seaborne and airborne modes of transport prove easier. The southern extension of Spain and northward protrusion of Morocco forms the Strait of Gibraltar which is the sole gateway between the Atlantic Ocean and Mediterranean Sea. The fact that this narrow strait is a vital part of a major trade route makes it strategically important and ensures a high volume of traffic rounding the Iberian Peninsula daily.¹³ The net effect of this geographical setting is that drug smuggling by sea is facilitated since ports in Spain and Portugal become added stops and the proximity of passing vessels to the coast permits clandestine 'transfer-to-shore' operations. However, more than anything else, it is the proximity of Morocco to the south which nurtures the cannabis trade into Spain and Portugal. In relation to cocaine, a further incentive is provided because Spain and Portugal are the "Latin connection" to South America, having once been the colonial powers there. The commonalities in languages, customs and mentalities induces a natural association which in regards to drugs nurtures a conduit for trafficking. Lastly, with a distance of 5,500 kms., they are the closest European point to South America. Consequently, Spain and Portugal have become transit states for cocaine. The anomalous positions of Denmark and Greece result from both being combinations of peninsulas and archipelagos. The mainland portion of Denmark is clearly a peninsula though of lesser proportion to those previously discussed. Jutland protrudes directly northward from Europe creating the Skagerrak and Kattegat by blocking an expansive, open connection between the Baltic and North Seas. The ambiguity is

caused by the 483 adjacent and surrounding islands which distort the overall shape of Danish territory. The net effect is that Denmark does not appear to be a peninsula but more a multi-island land bridge between lower Europe and the Scandinavian Peninsula. Between all the principal islands there are bridges permitting overland transport. The sole factor that relegates Denmark to being viewed as a peninsula *per se* is the lack of a structural link between any part of its land territory and Norway and Sweden. Because of the firm land connection with Europe it is not, however, the peninsular form itself which invites maritime smuggling. Instead, it is the infrastructural linkage of the archipelago bringing the overland routes to within a few kilometers of Sweden and Norway that sustains Denmark's role in the maritime drug trade. The Greek picture is analogous. Peloponnesus is the protruding peninsula and it is the 2,117 surrounding islands which create the territorial distortion. The peninsular portion of the Greek mainland juts into the Mediterranean Sea with the Ionian and Aegean Seas on each side of it. The Cyclades and Sporades island groups distort the peninsular form by extending Greek territory to within a few kilometers of the western Turkish coastline. The significant difference from the Danish situation is the non-existence of the infrastructure required for overland transport. The Greek islands are not as close-knit from a physical standpoint so as to allow construction of tunnels, bridges and causeways. Though overland transport from Turkey is feasible and a reality in eastern Greece, technically, it is easier to take advantage of its marine geographical form and use the atmospheric and maritime mediums for transport. Greece's proximity to Turkey, the Middle East and North Africa and positioning astride the trans-Mediterranean and

Mediterranean-Black Sea shipping routes ensure that it is involved in maritime drug trafficking. It is worth noting that any historical review of smuggling within the region, or of maritime affairs in general, will make mention of high levels of such activity having occurred before. There is practically an historical legacy to be maintained regarding smuggling, and drugs make a most suitable, modern option.

The eight remaining OECD states all possess significant land borders adjoining each other and other states allowing direct overland transport to play a major role - which it does. However, this does not exclude the maritime sector totally. Depending on the drug under review and its sources, one will observe that the maritime sector plays a significant role. For the U.S. and Canada it is obvious that all Golden Crescent and Golden Triangle heroin is dependent upon the air and sea mediums for importation. The North American continent is totally severed from any other landmass save for South America. The vast expanses of both the Atlantic and Pacific Oceans, the inhospitableness of the Arctic region, coupled with the Soviet Union's domination of the northern Asian continent ensures that the atmosphere and sea are the only mediums to consider. To a certain degree, the same analogy applies for the cocaine trade and South American cannabis trade to North America. Ignoring for a moment the Panama Canal, the Isthmus of Panama is the land link between the continents but, hostility and turmoil in Central America preclude a viable trans-continental overland route from being established. The only alternatives are the atmospheric and maritime modes of transport. To smuggle by sea a drug trafficker will have to traverse the Caribbean Sea, Gulf of Mexico and, depending on

destination, the Atlantic Ocean to reach points in either the gulfcoasts of Mexico and the U.S. or eastcoasts of the U.S. and Canada. To reach points along the westcoasts of Mexico, the U.S. and Canada a smuggler must traverse the eastern Pacific Ocean. In Europe the situation *vis-a-vis* heroin and cannabis is equivocal because the conjugation of Europe and Asia provides a natural and direct overland link to sources in Asia and the Middle East. But, here politics and transport economics dictate the degree to which various modes of conveyance are employed and the routes utilized. The division of Europe politically into East and West following World War II remains in place today. The Eastern Bloc countries are communist and totalitarian. They view the West with distrust, disdain and deem it decadent. This political barrier - known figuratively as the Iron Curtain - extending, cartographically speaking, southward from the Soviet-Norwegian border on the Barents Sea down to the Albanian-Greek border on the Ionian Sea and then roughly eastwards across the Black and Caspian Seas to the Soviet-Iranian-Afghani border junction prevents large-scale overland drug smuggling between Europe and Asia. The turmoil in Lebanon, Syria's volatile nature and the Iran-Iraq conflict preclude the use of these lands as reliable bypass conduits into Europe from the Middle East. It must not be construed that overland drug smuggling does not occur via these countries and the Iron Curtain states for it indeed does, but not with reliability or consistency and not on the large scales found elsewhere. Iran and Lebanon are, afterall, both producers and exporters while Syria, Turkey, Bulgaria and the U.S.S.R. have all been seriously involved in drug trafficking.¹⁴

To counter the emphasis on the political barrier as the sole basis for lack of overland Eurasian traffic it should be observed that there

exist several purely geographical obstacles to such a trade. Assuming for a moment the non-existence of the above states but instead all friendly states, the rugged topography, inhospitable deserts, dense forests and jungles, lack of infrastructure, modern border checkpoints and large distances to be encountered between Asian source areas and European consumption sites make such enterprises unrealistic. It would be economically unfeasible to attempt to transport illicit drugs overland as the risks are high and the profit yield low to non-existent. The regular air services between Europe, Asia and the Middle East and continual shipping services extending from northern Europe to the Mediterranean Sea, through the Suez Canal into the Arabian Sea, Persian Gulf, Bay of Bengal, Andaman Sea and eastwards into the South China Sea via the Malacca and Singapore Straits provide simpler, rapid and dependable methods of transporting drugs to western European states. A majority of the heroin and cannabis in transit to European destinations at some stage will be transported by sea or air. When by sea, the Netherlands, France, Belgium, West Germany and the U.K. will be the landing sites in addition to Greece, Italy, Spain and Portugal. Turkey tends to be a transit state where drugs are loaded onto vessels for shipment to virtually all points in the Mediterranean and northern Europe. The cocaine picture for these same European countries is different. All cocaine must come by sea or air from South America. However, a given cocaine shipment need only arrive at one European port and then can be distributed to neighbouring states via the overland mode. Example ports are Rotterdam, Antwerp, Hamburg, Le Havre, Marseille, Cadiz, Barcelona, Lisbon, Naples and Piraeus.

Finland, however, is excluded from the above discussion. Under

Craven's doctrine, Finland is virtually an "island" in the modern Mahanian sense because of both its isolated geographical and political positions relative to Western Europe. Finland appears firmly connected to, and part of, Europe. Superficially, it seems readily plausible that overland transport may play a role. However, in reality, the situation is quite the contrary. The longitudinal axis of orientation of Finland's landmass with the Gulf of Bothnia to the west, the Gulf of Finland to the south and the Soviet Union as its neighbour for all points east means its sole free border connection is with Norway and Sweden up north where the Scandinavian Peninsula is attached to Europe. It is impractical to import drugs overland from southern points in Norway and Sweden northwards to that border. Nor do drugs cross the Soviet-Finnish border. Consequently, the only two ways that drugs may enter Finland are by sea and air.

4.1.3 Marine Geographical Factors Of Transit States

Transit states are countries deemed either geographically, politically or economically expedient for transshipping drugs. The definition has already been given and the examples among the OECD states mentioned. In order to syllogize the middle tier of what is referred to as a tri-tier flow structure the analysis is confined to those transit states which serve as marine conduits to the OECD states. Any production and consumption occurring in these states is ignored to facilitate identification. The most prominent aspect concerning transit states is that they permit numerous flow patterns and the adoption of a multi-modal transportation structure for a given route. Depending on the complexity of the trade matrices involving transit states in a region, it is feasi-

ble to denote such regions as transit regions. Furthermore, depending on the complexity of the flow matrices created by transit states it will be observed that specific regions can be denoted as trafficking regions.

4.1.3.1 Opiate Transit States

The opiates adhere to relatively distinct flow lines. Except for Mexico's neighbouring position with the U.S. there are large distances between the suppliers and the consumers. The sea is one of only two viable transport mediums. All opiate products transported large distances are transhipped at some stage in their journeys and often more than once. Golden Triangle products destined for the OECD consumers always transit Thailand first; then, usually go on to a second transit state before importation to the demand states. Where utilized, the maritime sector plays a role from Thailand onwards. The regional geography of Southeast Asia combined with the presence of hostile and volatile states promotes maritime drug smuggling. Besides Thailand, the principal transit states are Malaysia, Singapore, Indonesia, Macau, Hong Kong, Taiwan, and the Philippines. The extent of China's involvement is unknown but, its domination of East Asia, close proximity to the Golden Triangle and extensive coastline make it an attractive transit state. The historical context bears this out. Because of the pervasive presence of the Chinese culture throughout Southeast Asia, there naturally exists an informal but strong network of socio-economic ideology. Drug trafficking, as an enterprise, thrives on such intrinsic and immutable networks. Canton has reportedly been used for transshipping opium but hard data is non-existent.¹⁵ All the transit states cited above border the South China Sea making it possible to endorse the notion that regions as a

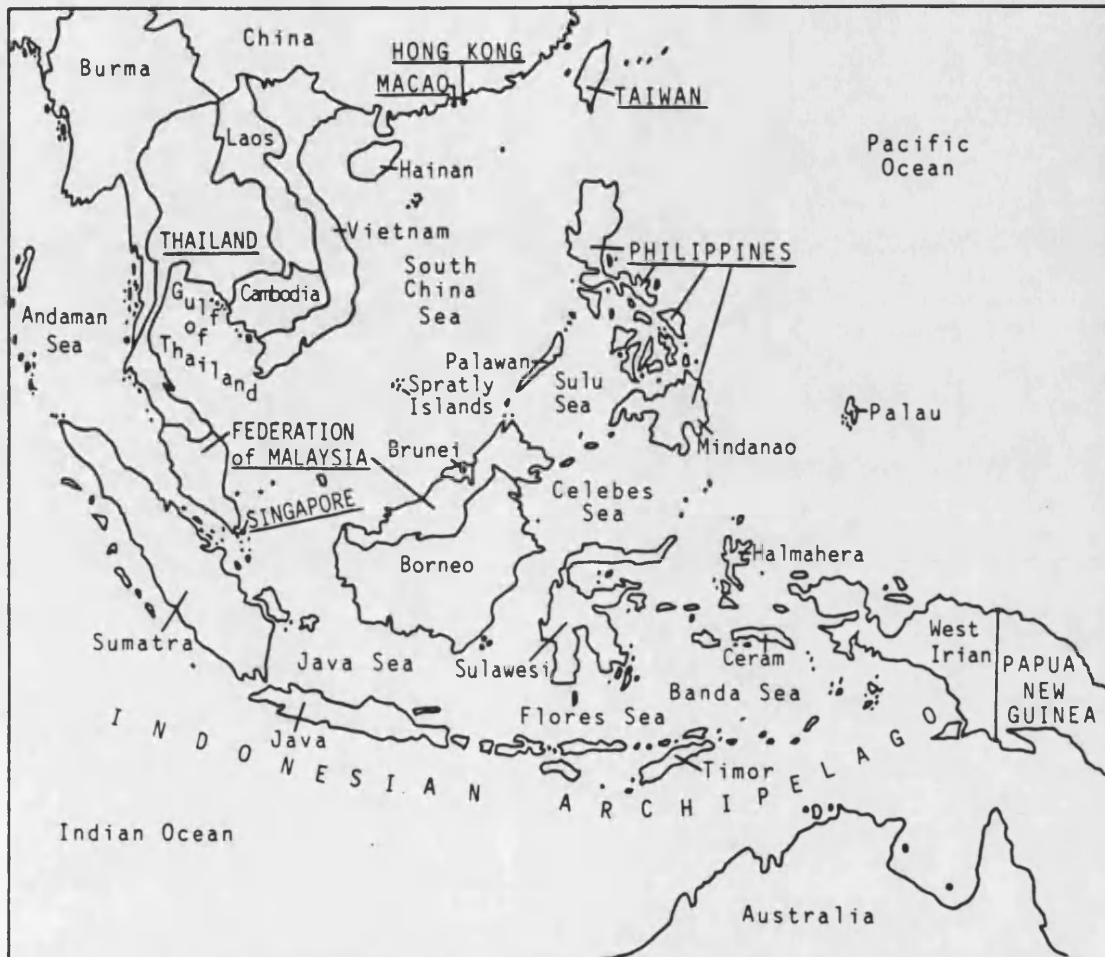
whole may be deemed transit areas. Thailand's position at the head of the Gulf of Thailand with a narrow and elongated southerly extension occupying the upper half of the Malay Peninsula provides easy access to the South China Sea and Indian Ocean. Bordering the southern Andaman Sea to the southwest puts it astride one of the busiest shipping routes in the world. Thailand's marine transit status stems from all the Burmese and Laotian opiates that are transited through its territory and then exported by sea. Though occupying the lower half of the Malay Peninsula, Malaysia's fractured form coupled with the insular nature of its neighbours to the south make it more part of the vast Indonesian archipelago. The Malay Peninsula is sufficiently long enough so that Malaysia does not seem to be part of the Asian continent but an offshore island. The peninsula itself functions as a land bridge between Southeast Asia and the Indonesian archipelago. It is separated at its closest point of approach by only a few kilometers from Indonesia. Because of the way the Malay Peninsula and Sumatra lie geographically they effectively create a 2,000-km. partitioning of the South China Sea and Indian Ocean confining the marine link between the two water bodies to the Malacca Strait. Being one of the two bordering states along this 530-n.m. strategic link places Malaysia directly astride the busiest sea lane in the region. Singapore is an island state off the southern extremity of the Malay Peninsula. It sits astride the navigational junction between the Malacca Strait and the 70-n.m. Singapore Strait leading to the South China Sea and all points along the entire coast of eastern Asia. Because of its free trade policy, stable economy, developed marine services industry and strategic location it has become an important roadstead for shipping. Separated by the 1.5-km. wide Johore

Strait from Malaysia and just 14 kms. from the nearest Indonesian islands makes it a natural trans-shipment point. Wherever there is massive shipping activity it is commensurately easier to engage in smuggling. The vast expanse of the Indonesian archipelago comprised of five main islands and more than 3,000 smaller ones all interspersed by seas, bays and straits spread over 1,903,650 sq. kms. provides innumerable staging points for transshipping drugs by sea. The lack of a competent political infrastructure throughout the archipelago enhances its vulnerability to such activity. The archipelagic extent of Indonesia northeastward to Sarawak (Malaysia's eastern part), Brunei and the Philippines, eastward to Papua New Guinea and southeastward to Australia creates - in the figurative sense - a territorial bridge to these states. Inter-island shipping and island-hopping aircraft can readily convey opiates to Indonesian islands that, functionally speaking, are the doorsteps to the above states. Macau, Hong Kong and Taiwan are all insular entities off eastern China on the northern reaches of the South China Sea. The sailing distance from Singapore to Hong Kong is 1,460 n.ms. All three are similar to Singapore; having nurtured and developed their economies along congruous lines. Their free trade policies, stable but open societies and entrepot activities combined with strong financial and capital markets not only cultivate shipping, but invite and nurture drug-related activities. To be fair, it has been said that much of the trans-shipment activity occurring in Macau and Hong Kong is merely the modern continuation and extension of historical enterprises. Macau and Hong Kong have always been involved in smuggling and the drug trade. Lacking the historical roots, Taiwan's status as a transit state stems in part from its geographical position

and former status as an opium consumer. Taiwan is centrally located astride all trade routes leading to Japan and South Korea from Southeast Asia and all points west of the Malacca Strait. Much of the shipping which calls at Hong Kong, Macau and Taiwan carrying opiates are regional trading vessels, fishing trawlers and private local craft bringing the drugs up from Southeast Asia. The drugs are then transferred either to be flown onwards via airborne modes or concealed in cargo consignments to be carried by commercial shipping. The Philippines are an archipelago providing the eastern boundary of the South China Sea and bordering the western Pacific Ocean. Comprised of more than 7,000 islands and rocks spread over 300,000 sq. kms. of planetary surface area of which only 400 are inhabited but lacking internal unity the Philippines offer numerous possibilities for transshipping opiates. The midway location of the Philippines between Japan and Australia yet detached somewhat from Southeast Asia enhances its suitability. Figure 4.1 portrays these opiate transit states.

Basically, there are two broad trade routes which incorporate the maritime sector in transporting Golden Crescent opium to the OECD states. The first involves a maritime route emanating from southern Asia while the second relies on a multi-modal route via the Near East. The transit states in the first case are Bangladesh, India, Pakistan and Sri Lanka. Pakistani and Afghani opiates are imported overland to India and then exported on commercial vessels either eastward to Southeast Asia or, more importantly, westward to the Middle East, Europe and beyond. The massive protrusion in the form of an inverted triangle of the Indian subcontinent into the Indian Ocean bisects the northern part into two rather equal seas. To the east is the Bay of Bengal and to the

Figure 4.1 Opiate Transit States In Southeast Asia.



west is the Arabian Sea. This peninsular protrusion prohibits rhumb line navigational routes and Great Circle routes between the northern terminus of the Malacca Strait and the entrances to the Persian Gulf (Strait of Hormuz) and the Red Sea (Bab el Mandeb) which leads to the Mediterranean Sea via the Suez Canal. Because of India's 'blocking position', it is only natural that ports appropriately situated along its coast will serve as transit points. The historical development of

India's principal ports ensured their involvement in commerce today. India is an ideal example of a peninsula in the Mahanian sense. Besides using the commercial shipping sector, there is a lot of covert exportation using local craft to nearby regions. Local sailing vessels and old coastal traders pick up loads in Bangladesh and India and sail down the Indian coast to Sri Lanka or over to the Andaman Islands where the opiate cargos are then shipped eastwards. Also, opiate loads are carried westward from India across the Arabian Sea to the Arabian Peninsula and East Africa. Pakistan serves as a transit state for Afghani opiates which are exported to the Middle East. For the long-haul routes to Europe commercial carriers are utilized while for short-haul routes over to the Arabian Peninsula or the westcoast of India local vessels are frequently employed solely for that purpose. The surrounding positions of Iran, Afghanistan and India combined with its proximity to the Persian Gulf and Arabian Peninsula promotes Pakistan as a country through which to tranship drugs. The sailing distance between Karachi and the Bab el Mandeb Strait is 1,500 n.ms. and all of the route may be sailed within coastal waters (for vessels so suited).

The transit states involved in the multi-modal route via the Near East are Turkey, Syria, Cyprus, Greece, Yugoslavia and Bulgaria. Without going into all the geography let it simply be said that these states are all more or less between the production sites in the Golden Crescent and Lebanon and Europe. Hence, they have become conduits comprised of many specific routes which see the intensity of usage varying depending on enforcement activities. The modes of conveyance employed are a combination of overland, sea and air carriers. The opiates will travel overland by motor vehicle and animal to the Syrian and Turkish

coasts from Iran and Lebanon. The drugs are then transferred to either commercial ships, local craft or privately chartered vessels. In the case of commercial carriers it is concealed amongst the cargo or the crew's belongings or on the ship itself. When local craft or privately chartered vessels are utilized they are specifically engaged in covert drug shipments. The commercial carriers generally take the drugs directly to ports in Europe where they are offloaded and distributed directly to dealers or shipped further inland by overland transport modes. When the two latter categories of marine transport are used the opiate shipments may only travel as far as Cyprus, Egypt, Greece, Bulgaria and Yugoslavia. There, the drugs are transferred to commercial ships, aircraft, yachts or other privately chartered vessels for further conveyance. Alternatively, the opiate shipments may be transported to points offshore along the Iberian Peninsula or the US Eastcoast where the illicit cargoes are covertly transferred to waiting yachts and fishing vessels which import the drugs to the country. Then the drugs proceed overland as described above to their consumption sites. Instead of attempting to discuss all the routes possible and their multi-modal structures Table 4.2 summarizes them. The routes are depicted as linear flows with the various states and plausible transport modes noted. What should be recognized is that the possibilities are only limited by one's or, more appropriately, the drug smuggler's imagination.

4.1.3.2 Cannabis Transit States

The situation with cannabis is both complex and connoted by dynamic flux thus necessitating generalization in description. Cannabis differs from the opiates in that it is frequently shipped directly. The

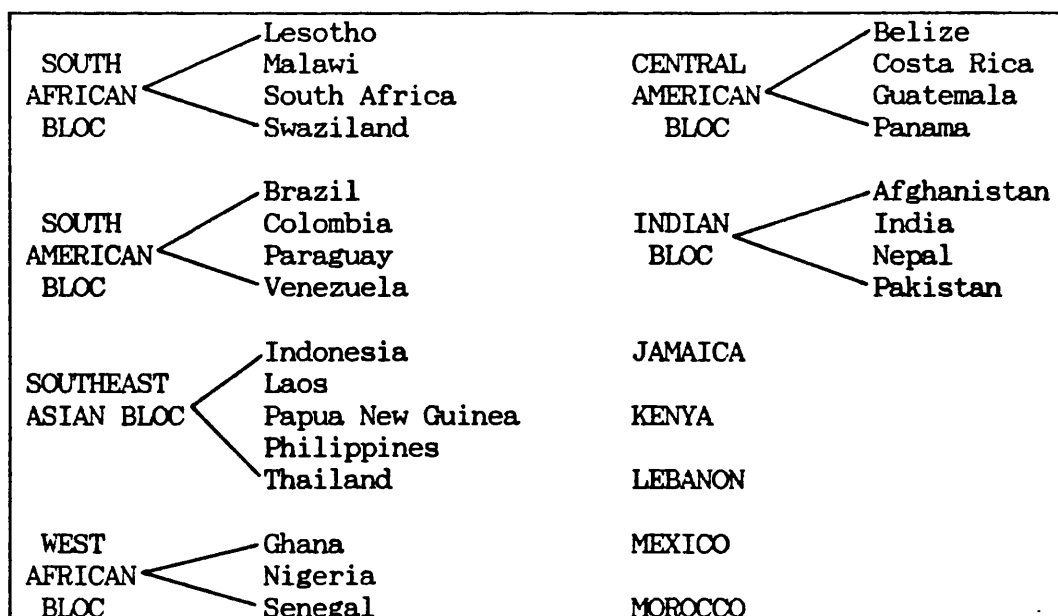
Table 4.2 Opiate Trade Routes Of The Near East.

Source Country	Transit States (1 st Order)	Transit States (2 nd , 3 rd & 4 th Orders)	OECD Consumer
IRAN --- (truck) ---	TURKEY -----	(freighter) -----	ITALY
IRAN --- (horse) ---	TURKEY -----	(vessel) ----- BULGARIA -----	(train/truck) ---- W. GERMANY
IRAN --- (mule) ---	TURKEY -----	(freighter) ----- ITALY -----	(containership) ----- U.S.A.
IRAN --- (foot) ---	TURKEY --- (vessel) ---	GREECE --- (ferry) --- ITALY --	(train) -- W. GERMANY
IRAN --- (car) ---	TURKEY -----	(vessel) ----- CYPRUS -----	(containership) ----- U.K.
IRAN --- (mule) ---	TURKEY -----	(car) ----- SYRIA -----	(freighter) ----- FRANCE
LEBANON --- (truck) ---	SYRIA -----	(vessel) ----- CYPRUS -----	(freighter) ----- BELGIUM
LEBANON --- (vessel) ---	CYPRUS -----	(containership) ----- U.K. -----	(ferry) ----- IRELAND
LEBANON --- (vessel) ---	GREEK WATERS -----	(freighter) -----	NETHERLANDS
LEBANON --- (freighter/mothership) ---	US WATERS -----	(yacht/fishing boat) -----	U.S.A.
LEBANON --- (vessel) ---	CYPRUS -----	(freighter) ----- U.K. -----	(containership) ----- CANADA
LEBANON --- (car) ---	SYRIA --	(freighter) -- HOLLAND --	(car) -- DENMARK --- (ferry) --- SWEDEN
<p><u>Note:</u> These are only a few examples of the multitude of smuggling routes utilized. One can simply interchange or insert other transit and OECD states not cited with those above and the table will still be correct.</p>			

low unitized value of cannabis requires traffickers to transport large amounts in order to cover risk, expenses and realization of profit. Consequently, cannabis is often transported by sea and in large quantities. In many instances a ship or yacht will be acquired solely for the purpose of shipping a large consignment of cannabis directly to the consumer state. Though 27 countries were identified earlier (in Table 3.2) as the suppliers of cannabis traded internationally only half figure prominently. Because some of them are contiguous to each other, they along with select neighbouring states can be amalgamated into 11

relatively well defined source regions and sites; of which only four envelop transit states on a significant level in their trade matrices (see Table 4.3). Establishment of the origin points for the flow of cannabis facilitates identification of the concomitant transit states. The desired subsidiary effect will be clarification of the applicable geography behind the various flow patterns. Lamentably, the multiple distribution of cannabis from any one given source to a number of diverse consumption areas precludes this. A given source area usually has two or more flow lines radiating from it; only some of which intersect transit states *en route* to their destinations. The picture is complicated further by the fact that several producers also serve as transit states for either neighbouring states' cannabis exports or nearby regional outputs. This is particularly true regarding Southeast Asia, Central America and the Caribbean basin. For the purposes of lucidity and con-

Table 4.3 Source Areas And Regions Supporting The Cannabis Trade.



tinuity in analysis the principal cannabis transit states are identified in conjunction with the respective source areas for which they serve.

In regards to maritime cannabis smuggling Colombia and Brazil dominate the South American Bloc. Venezuela is a secondary supplier while Paraguayan cannabis remains on the continent. Colombia accounts for the lion's share of cannabis shipped abroad. The majority of South American cannabis exported is consumed in North America with minor amounts going to Europe. Because of the isolated position of the South American landmass *vis-a-vis* the consumers, all cannabis must be transported by air or sea - that is if there is to be any viability to the trafficking operation. Colombia's unique position in the northern extremity of the continent where the Panamanian isthmus connects the North and South American continents gives the country both a Pacific Ocean coastline and an Atlantic Ocean outlet. The intermediate position of Central America and the Caribbean basin ensures that virtually all South American cannabis shipped indirectly to North America, and select European sites, will need to transit these regions. The complex geography of the Caribbean basin embracing the eastcoast of Central America from Panama to the Yucatan Peninsula, the northern coast of South America from Colombia to Venezuela and including the islands of the Netherlands, Lesser and Greater Antilles and all the waters within this region provides innumerable flow routes and an array of transit states. It is simply the incidental but opportune positioning of many of these states and territories between the source and destination sites which induces drug traffickers to utilize them. The ring-like barrier formed by Central America, the Yucatan Peninsula, Cuba, Hispaniola, Puerto Rico and the entire Lesser Antilles chain interlaced by channels creates a

sieve through which the drugs must pass. Figure 4.2 depicts the Caribbean sieve.

The additive factor endorsing their use is the trafficker's need to mask a shipment's origin. When commercial vessels are utilized, and the drug is concealed within a legitimate cargo consignment, it is highly desirable to create the impression that the cargo is not from Colombia but from elsewhere. The notoriety of Colombia as a source country means that whenever Colombian cargo is landed in a foreign port or ships of any flag having called there arrive in foreign ports, they are subject to intense scrutiny. The trans-shipment of concealed drug

Figure 4.2 The Caribbean Basin And Its Sieve-Like Structure.



consignments via transit states and concomitant falsification of lading documents reduces the likelihood of interception. It is a simple fact of reality that the desire for a 'free flow' regime in commerce, the need for constraint in government expenditures on port security and the extant workload on port officials, both in processing licit trade and watching for illicit activities, all contribute to a situation that is prone to manipulation by smugglers. While understandable and necessary, the evolution of the concept of 'target' vessels, consignments and source ports, the implementation of profiling criteria to segregate between 'high-risk' and 'low-risk' trades and resultant apportionment by authorities of their intelligence, investigatory and surveillance efforts conversely nurtures vulnerability in such programs. Clever traffickers will exploit the system's weakness by deception and the use of transit states to ensure that their 'cargo' consignment appears to be legitimate and originating from a 'low-risk' port of embarkation or origin hence, minimizing the level of scrutiny the consignment may otherwise incur. The majority of Colombian cannabis shipped indirectly will transit either select South American countries like Ecuador and Venezuela, various Central American lands including Panama, Costa Rica, Honduras, and Mexico or a number of Caribbean islands including Barbados, Cuba, the Dominican Republic, Grenada, Haiti, St. Lucia, St. Vincent, the Turks and Caicos Islands, but notably the Bahamas. Though of a minor level, Colombian cannabis bound for European destinations additionally shows a propensity to transit Aruba, Curacao, Guadeloupe and Martinique. In naming these states and territories it should not be construed that they alone are the only transit states. Others have been utilized, but they do not crop up as frequently in seizure and intel-

ligence data. A number of variform drug routes exist but they can be categorized into a few general trends. The Central and South American states tend to serve as trans-shipment points for cannabis brought in by either overland, airborne or seaborne modes but re-exported on commercial vessels. For example, a load of cannabis is transported overland by truck from Colombia to Guayaquil, Ecuador where it is loaded onboard a banana ship, concealed amongst the cargo, and shipped to Los Angeles, California. A second version of this theme involves a load of cannabis being concealed in coffee sacks loaded onboard a freighter in Cartagena, Colombia bound for Limon, Costa Rica. In Costa Rica the cannabis cargo is transferred to another ship bound for New Orleans, but whose last port of call was Hamburg, West Germany and the bill of lading is altered to show Montevideo, Uruguay as the source port of the cargo. The island states and territories tend to be staging points for drugs in transit on private vessels or ships acquired exclusively for the purposes of illegally transporting cannabis. Trans-shipment via commercial carriers is more difficult simply because the islands as a rule do not generate sufficient trade to warrant regular long-haul shipping services with the cannabis consumer states which can be incorporated into the drug routes. Instead, the cannabis is shipped or flown from furtive embarkation points in Colombia to desolate landing sites or airstrips in the islands where it is then transferred to other vessels or aircraft for the final leg of the journey into the U.S.A. Alternatively, the same vessel may be used for the entire voyage but it transits one or more island states either for refueling purposes or to construct a documentation history of traversing the islands thus distancing and masking the vessel's association with the source area (the Colombian port). A typical scenario in-

volves a yacht picking up a load of cannabis on the Colombian coast and proceeding to Barbados and then northwards through the Lesser Antilles to the Bahamas and finally to the U.S.A. Another version employs a fishing trawler going to Colombia and obtaining a cannabis load which it carries to the Dominican Republic and then ultimately to a US Gulfcoast port. Neither the vessel's log nor any other paperwork will reflect the fact of the trawler's voyage to Colombia. Of all the trans-shipment states and territories noted, the Bahamas has figured most prominently based on seizure records. The Bahamas is an archipelago comprised of over 700 islands, islets and cays scattered over 100,000 sq. miles of ocean of which less than 30 are inhabited. Their proximity to Florida combined with the desolation and isolation of many of the islands and the lack of governmental supervision and enforcement control create a prime geographical area for transshipping drugs. Panama's significant involvement as a transit state for Colombian cannabis stems from its adjacency to Colombia and dominance of the Isthmus of Panama. With a coast on both sides and therefore accessible from either Colombian coastline, a great deal of versatility is granted to the drug traffickers in planning and structuring their trans-shipment routes. The high level of shipping traffic in proximity to Colombia as a result of the presence of the Panama Canal only provides a further susceptible dimension to the benefit of the traffickers. The most damning evidence of Panama's involvement in drug trafficking is the recent American indictment of Panama's leader of many years, Gen. Manuel Noriega, and other officials on drug trafficking.¹⁶ For other prominent transit states data shows that, while the volumes of smuggling are lower, these states are continuously participating in the activity. These include Barbados,

the Cayman Islands, Curacao, the Dominican Republic, Guadeloupe, Haiti, Honduras, Martinique and the Turks and Caicos Islands. From the law enforcement perspective the Caribbean basin is a 'Mahanian nightmare' while, conversely, it is a 'Mahanian utopia' for the maritime drug smugglers. Figure 4.3 portrays the the maritime trafficking routes and transit states of the Caribbean region.

Figure 4.3 Marine Transit States For Cannabis And Cocaine In The Caribbean Basin and Central American Region.



Cannabis smuggling in Southeast Asia also involves a considerable degree of complexity analogous to that presented in the preceding discussion, but the lesser number of states involved facilitates revelation of their roles. Collectively, Thailand, Indonesia and the Philippines produce over 9,000 m.ts. of cannabis annually. Because of their relative proximity or adjacency to each other and the complex geography of the region as explained in detail earlier, Indonesia and the Philippines additionally serve as transit states for Thai cannabis. Aside from them, Malaysia and Singapore are the principal transit states for Thai cannabis moving southward and eastward out of Thailand. Simultaneously, on a smaller scale, they are the transit states for Indonesian cannabis moving northward into points in Southeast Asia and southern Asia. The peninsular form of Malaysia and archipelagic nature of Indonesia and the Philippines provide innumerable staging points for local craft to tranship cannabis. Cannabis originating from the three producers which is not exported directly concealed within cargo consignments onboard commercial vessels is carried by local craft to transshipment areas and sites where it is subsequently loaded onto commercial carriers. Hong Kong, Macau and Taiwan are the other prominent transit states for transferring cannabis loads to commercial vessels. The politico-economic nature of the first two along with that of Singapore make these states excellent trans-shipment points. As observed earlier, the bustling activity of their ports, free trade policies, developed financial markets and strategic positioning along major trade routes, coupled with the manifest entrepot acumen of the respective populations, all contribute to the vulnerability and suitability of these states to becoming transit states. Generally, cannabis loads transhipped via Hong

Kong, Macau, and Taiwan either originate in Thailand or the Philippines and are bound for Japan, South Korea, Canada, the U.S.A., Australia, New Zealand and to, a minor extent, Europe. The dominant share of cannabis transhipped is Thai because it is readily available and has a desirable quality. Domestic consumption in the Philippines and Indonesia is high therefore only a minor share is left for export. The poorer quality of Filipino and Indonesian cannabis is, undoubtedly, another factor which precludes their shares of the export market from increasing. Papua New Guinea plays a minor role as a transit state for cannabis shipped down through the Indonesian archipelago destined for northeastern Australia. Japan seems to have a minor position as a trans-shipment site for cannabis destined for ports on the westcoast of North America. The high volume of shipping traffic between Japan and North America provides an easy and desirable transportation link which the traffickers may tap into by routing their illicit cargoes via Japanese ports.

Cannabis smuggling out of the Golden Crescent subscribes to the scenario presented earlier in the discussion on opiate transit states. However, in discussing cannabis trafficking, Iran is omitted as a source country but India and Nepal become important contributors. The principal difference between the opiate smuggling scene and that of cannabis is the much greater reliance on maritime transport modes in the case of the latter. The low unitized value of cannabis relative to the opiates and limitations on air cargo and passenger baggage, not to mention strict controls at airports, precludes the significant use of non-maritime modes of conveyance. Besides being a producer, India serves as a transit state for Afghani, Pakistani and Nepalese hashish outbound either westward to the Middle East and Europe or eastward to Southeast

Asia. Sri Lanka is a subservient transit state to all the above states, notably India. Usually all non-Indian hashish transits India before transiting Sri Lanka. Cannabis shipped eastwards either goes on commercial vessels directly or on local craft which transit the Andaman Islands and northwestern Indonesia. Hashish and ganga headed for Middle Eastern destinations also go directly on commercial vessels or on local craft traversing the Arabian Sea. For final destinations within the Persian Gulf the peripheral sheikhdoms and states of the Arabian Peninsula including Oman, Qatar and the U.A.E. along with Bahrain frequently serve as transit states. The two latter states in particular are entrepot trading centres similar in vein to Singapore, Hong Kong and Macau. Local craft, notably dhows of Arabian and Indian design, sailing between Indian and Arabian ports and appearing to be engaged in small-time entrepot commerce are the transport units utilized. A variant of the theme involves commercial carriers bringing the cannabis into the Arabian ports where it is covertly transferred to local craft for distribution to other Persian Gulf ports in Saudi Arabia, Kuwait, Iraq, Iran and Red Sea ports. The reversed dimension of the variant involves local craft importing the cannabis to the Arabian Peninsula where it is transferred to commercial vessels destined elsewhere in the Persian Gulf or bound for East Africa or Europe. In regards to cannabis shipments to Europe, commercial vessels are always utilized except for the variant just noted and the focus of the traffickers' efforts is on ingenious concealment and deception combined with organized delivery and distribution schemes in the intended ports of arrival.

The maritime trafficking of Lebanese hashish is identical to the scenario given for opiate exportation. Syria, Turkey, Cyprus and Greece

all play a role as transit states. Local trading craft as well as commercial carriers are utilized. Lebanese hashish is either transported overland into Syria and Turkey before being shipped by sea to European and African destinations, or is exported directly to all destinations on commercial carriers and privately chartered ships or shipped to Cyprus and a rendez-vous area in the Ionian Sea on local traders and privately chartered vessels where it is transhipped to other ships, both commercial and private, for further transport.

In concluding the discussion on cannabis transit states, it must be noted that only the prominent ones have been identified based on their significance of utilization for such activity, and their obvious intermediary status. Consequently, the small degree of trans-shipment occurring in southern and West Africa and between Morocco and Europe is omitted. Nor do the incidental port calls in third states by vessels carrying cannabis between two given ports constitute transiting points. The pervasive aspect of cannabis cultivation and use throughout the world in essence means that virtually every state at one time or another can, in the absolute sense, be said to have been a transit state even if the amount transhipped was one gram or less. Examples include Canada and the U.S.A. which frequently serve as transit states to each other. There have been several instances of maritime cannabis smuggling between the two but where the cannabis originated externally. For example, Thai cannabis bound for the U.S. transits Hong Kong *imprimis* before arriving in Vancouver, British Columbia. There, it is transferred either to a motor vehicle for overland importation to the U.S. or put onboard a fishing vessel or yacht for clandestine carriage into the U.S. Further examples include the U.K.'s transit role *vis-a-vis* Ireland, the

Netherland's role as a distribution centre for northern Europe, Denmark's trafficking role relative to Norway, Sweden and Finland and, in this regard, the secondary transit role of Sweden for the latter. In all these cases, cannabis enters the primary state by sea from abroad and other transit states of the first order only to be re-exported or distributed in whole or in part to other states by either overland, air or sea transport modes. When viewed in this perspective these states can be considered maritime transit states. However, because it is neither the exclusive nor dominant role of the state and the definitive requirement of clear-cut intermediary in the maritime drug trade is not met these states are not considered such.

4.1.3.3 Cocaine Transit States

Compared to the other drug categories and their trade routes the cocaine transit states are easily defined. Cocaine's high unitized value and relative abundance in the source countries justifies importation of the drug directly by air either on commercial carriers or private aircraft even though the risk factor is high and the amounts that may be carried limited. On the whole, the maritime sector does not play the significant role. Where utilized, there is a propensity to ship the cocaine directly concealed within cargo consignments. This appears particularly true for shipments destined for Europe and, to a lesser degree, with very large consignments sent to the U.S. With mass distribution restricted to North America and Europe the maritime flow patterns follow relatively direct paths. Deception, corruption, conspiracy and ingenious concealment are the methods employed to minimize seizure risk. For cocaine shipments sent indirectly on commercial ves-

sels the transit states are usually countries near to the supply state. They are used in the hope that the attention given by customs officials in the destination countries to the vessels and their cargos is minimal or cursory. As noted earlier in the cannabis discussion, the drug traffickers are capitalizing on the limitations placed on port control by various commercial, economic and political restraints. In these smuggling operations the cocaine is transported overland or flown to the transit states where it is then concealed amongst legitimate cargo consignments or on the vessels themselves. A more complex version of this strategy involves transshipping cocaine through disparate transit states thus effectively flooding the destination ports with cocaine consignments from diverse ports and diffusing the risk of total interception. The premise here is that some of the ships arriving at a given port will not be searched thoroughly, or at all, because their prior ports of call are not deemed as suspicious as the prior ports of call of certain other arriving ships and their bills of lading do not outwardly trigger further interest. In developing this strategy the traffickers have taken into account the limited resources allocated to most customs agencies combined with the short time periods available for customs searches as a result of the modern turn-around times of ships today. In busy ports it means that ship searches have to be perfunctory and discriminant. The traffickers are twisting the hierarchial prioritization programs utilized by authorities in determining their rummages and detailed cargo reviews to their advantage. The primary transit states for transshipping cocaine consignments onwards with commercial vessels include Brazil, Ecuador, Panama, Venezuela and Colombia. The latter is a transit state for processed Bolivian and Peruvian coca. All are neighbouring states

of some principal coca producer. Brazil dominates eastern South America. It has an extensive coastline, numerous ports, substantial merchant fleet and high trade volume. Colombia has coasts both on the Pacific and Caribbean sides of the Panamanian isthmus hence, direct access to the west-, gulf- and eastcoasts of North America and to Europe. Ecuador and Venezuela are both adjacent to Colombia but with littoral zones on different oceans and sustain fair volumes of trade as a result of their respective oil exports. Panama's strategic position on the Isthmus of Panama astride an important trans-ocean canal automatically thrusts it into the role of a transit state for all cargoes, licit and otherwise. The overall isolation of the South American continent and intermediate location of Central America and the Caribbean basin which prefaces the maritime drug trade in this part of the world has already been documented. Other states which are utilized, but on a lesser scale, for cocaine trans-shipments involving commercial shipping include Argentina, Chile and Suriname along with certain commercially active island states like Trinidad and those of the Netherlands Antilles.

The other component of the maritime cocaine trade embracing transit states incorporates the use of non-commercial vessels. The extent of their utilization is unknown. Virtually all the states and territories of the Caribbean basin and Central America can be or are transit states. The vessels are usually small (<100 meters), privately-owned or chartered and infrequently used for direct shipment to the consumer state. Instead, they are often employed for a segment or leg of the shipment route involving one or more transit states and transport modes. The cocaine is transported either overland, by air or on commer-

cial ships to a transit state. There it is then transferred to the non-commercial vessel for direct carriage into the demand state or a subsequent transit state. An example is the air shipment of cocaine to an island state in the Caribbean such as the Bahamas or the Dominican Republic. There the drug is transferred to a yacht or fishing vessel which transports it into Florida. Alternatively, the cocaine is conveyed to a second transit state where it is transferred to another vessel and different mode of transport for final carriage into the consumer state. An example is the overland transport of cocaine from Colombia to Panama where it is loaded onto an old Caribbean trader acquired exclusively for the smuggling operation which takes its illicit cargo to an island state in the Lesser or Greater Antilles. There the cocaine is transferred to a yacht which takes the drug into the U.S. Based on seizure statistics, the use of yachts and private vessels for transporting cocaine to Europe has been minor. However, intelligence data in late 1988 and 1989 combined with recent interdiction cases indicate that the use of such craft is growing. Overall, European routes involve a combination of commercial shipping and private vessels, with the former doing the trans-Atlantic portion. For example, cocaine is exported from Colombia to Brazil overland where a privately chartered vessel or yacht takes delivery on the coast and then transports the drug to Trinidad. In Trinidad the cocaine is transhipped, concealed amongst a legitimate cargo load, to a freighter bound for Europe. A specific listing of transit states in the Caribbean cannot be provided due to the paucity of hard data. However, in the mid-Atlantic the Azores have begun to record noteworthy cocaine confiscatures from the maritime sector.¹⁷ Suffice it to say that anything is possible provided that all reasoning is based on

logic. There is virtually nothing to say that what one may conjure up in one's mind has not already been tried or is being utilized, nor should other Central American states or Mexico be excluded though not specifically mentioned herein. Refer to Figure 4.3 which portrays the plausible cocaine transit states of the Caribbean basin and Central American region.

4.1.4 Relevant Lakes, Rivers, Canals And Straits

In addition to the oceans, seas and other marine water bodies subsumed under other terms, various non-marine and artificial water bodies exist which either have a profound effect on the structuralization of the trade routes or contribute significantly in their own right to the waterborne transport of drugs. The latter point is achieved through the creation of routes based on their incidental, opportune or proximate positioning between origin and destination points or transit states serving these points.

4.1.4.1 Lacustrine Bodies Of Significance

Vis-a-vis the OECD states the pertinent lakes include the Great Lakes in North America and Lake Constance in central Europe. Lake Superior, Lake Huron, Lake Erie and Lake Ontario comprise part of the U.S.-Canadian border with the boundary line running along a lengthwise axis through each lake connectively. Lake Constance sits sandwiched between West Germany and Switzerland with the international boundary running latitudinally through it. In both cases, ferries, pleasure craft and yachts have been utilized to transport drugs across the international frontiers situated within the respective lacustrine bodies. In

1986 alone a total of 30 drug seizures were effected in the Winsdor and Sarnia areas on the Canadian side of the Great Lakes.¹⁸ Cannabis, opium and heroin have been seized on these lakes though, relatively speaking, the quantities have been small. In addition to simply the intervening position of these lakes between countries, another basis for their utilization in smuggling has been the strong amity between the respective countries which nurtures relaxed frontier controls combined with the multitude of pleasure craft extant within the lacustrine bodies thus complicating surveillance and enforcement measures. The negative social, political and diplomatic repercussions resultant from aggressive control policies being exercised on these bi-national lakes precludes implementation of such measures. In the overall scheme of things trans-lacustrine drug trafficking is minute.

4.1.4.2 Riparian Trafficking Sites

In contrast to the above, riparian and transpadane drug trafficking contributes prominently to the international drug trade. Rivers connect the hinterlands of countries with the seas and oceans. They also permit seaborne commerce to extend into the interiors and isolated regions of continents, and in this way, land-locked states gain a connection to the marine medium. Rivers have also become the demarcation lines for international boundaries between states hence, inadvertently fostering their usage for illicit activities. The utilization of rivers as smuggling conduits is old and well-established. In earlier periods in areas of rugged topography rivers often served as the sole transport medium before the advent of modern transport modes and infrastructural developments. Areas exist today where this point is still valid. Be-

cause the drugs under study generally originate from regions external to the OECD members where large river systems exist and play a key role in their export or import those rivers must be included in the review. Among those of most significance are the Mekong, Chao Phraya and Irrawaddy Rivers in Southeast Asia; the Ganga River in India; the Shatt al Arab in Southwest Asia; and the Amazon, Madeira, Marañon, Orinoco, Paraguay, Paraná, Pilcomayo, Putumayo and Ucayali Rivers in South America.

The Mekong River extends for 4,180 kms. from its mouth on the South China Sea loosely northwestward into central China. It is fully navigable by ocean-going ships for 550 kms. upstream. Above that only small river craft are operable. Along its middle portion the Mekong serves as the border between Thailand and Laos allowing for some deviations. Transpadane trafficking of opium between Laos and Thailand is rife and well documented dating back to the 1950s.¹⁹ The Chao Phraya River extends for 230 kms. from its mouth on the Gulf of Thailand northward to Nakhon Sawan in central Thailand where it splits into two feeder rivers named Ping and Nan respectively. The Nan River continues northward for a further 800 kms. into China. Both the Chao Phraya and Nan are navigable but ocean-going ships can only transit upstream (~42 kms.) to Bangkok. Riparian opium trafficking on the Chao Phraya between China and Thailand is well documented dating back to the 1920s.²⁰ In the 1950s and 1960s large amounts continued to be transported southward from China.²¹ In one notable case 7,307.3 kgs. were carried on a Chinese sailboat from China to Thailand in 1958.²² Information is now scarce but allegedly such traffic does not occur today because China is not involved in opium production. However, undoubtedly the reverse

situation exists considering the role of Thailand and Laos as producers. The Irrawaddy bisects Burma rather evenly on a north-south axis extending for 2,090 kms. from the Andaman Sea up to the Kachin State in northern Burma. Important tributaries include the Chindwin, Sittang and Salween Rivers. Drug smuggling of opium along these waterways is well documented for the past, but in recent years detailed data has been sporadic and scant.²³ Small amounts were usually being distributed domestically while large quantities were being transported to Rangoon or other coastal ports for export. The river ferries and barges of the Inland Water Transport Board frequently carried opium.

The Ganga River extends from Delhi in northern India more or less eastwards to the head of the Bay of Bengal. Except for two deep delta passages at the mouth, one leading to Calcutta and the other at Chittagong, Bangladesh the Ganga is only navigable by small local craft. The proximate position of the river to Indian cannabis cultivation sites and its relative proximity to Nepal provides traffickers with a flowing medium by which to transport drugs downstream to connect with ocean-going ships. The Shatt al Arab is the lower portion of the Tigris-Euphrates River System. It extends southward from Basrah, Iraq to the head of the Persian Gulf. Above Basrah, where the two rivers diverge, navigation is virtually impossible. Transpadane trafficking of drugs on the Shatt al Arab in the past is well documented. The amounts involved were generally small and all trafficking was domestic in nature because Iraqi sovereignty prevailed on both sides of the river. Minor international trafficking occurred when ships or dhows carrying drugs entered the Shatt al Arab coming from abroad. Local craft, notably dhows, have been apprehended importing drugs to Iraq from other Persian Gulf ports.

Based on seizure data, tankers have played a minor role, particularly in earlier decades. The situation today is unclear as a result of the Iran-Iraq conflict which prevents information being gathered.

The Pilcomaya-Paraguay-Parana River System is situated in the lower, central part of the South American continent. The Pilcomaya River flows southeastward from central Bolivia to Asuncion, Paraguay with the lower 600 kms. serving as the international boundary between the latter and Argentina. There it confluences with the Paraguay River and turns southward continuing to serve as the international boundary for another 250 kms. before entering Argentina and subsequently confluencing with the Parana River. The Parana continues in the same southerly direction for over 1,000 kms. before emptying into the Rio de la Plata near Buenos Aires. Though navigable throughout its 4,500-km. length, large ships can only sail up the Parana a few hundred kilometers to Santa Fe, Argentina. Because of the Pilcomaya and Paraguay Rivers' roles as the common boundary between Paraguay and Argentina, transpadane cocaine trafficking on the international level has been documented. Considering the notoriety of the Andean region, it would be foolhardy not to presume that a moderate level of such trafficking is transpiring though difficult to verify. River ferries were the vessels involved in those recorded cases. Undoubtedly, small river craft are being used as well. Presumably, cannabis is also being trafficked. Though seizures involving riparian drug smuggling is lacking there is sufficient reason to believe that coca, cocaine and cannabis are being transported downstream from Bolivia and Paraguay to the dozen or so seaports on the lower reaches of the Parana River. It is an established fact, based on intelligence and seizure data, that Buenos Aires is a trans-shipment

port for cocaine being exported by air and sea. The Orinoco River extends for 2,060 kms. westward through Venezuela from its delta mouth on the Atlantic coast to Colombia. The lower 435 kms. up to Ciudad Bolivar (a port) is fully navigable for ocean-going ships while the rest is limited to riverine vessels. The opportune positioning of the Orinoco provides an excellent conduit for shipping cocaine and cannabis out of Colombia and accessing viable trans-shipment ports in Venezuela and Trinidad. Though hard data is lacking it is not unreasonable to presume that some riparian cocaine trafficking is transpiring and it must virtually be accepted as fact that riparian cannabis trafficking is occurring. The basis for the presumptions just made is the preponderance of circumstantial and proximate evidence pertaining to seizures effected in Venezuela and nearby Caribbean islands. The origin of much of the drugs (usually Colombia), the prior regional ports of call of the ships on which drugs were found, the types of vessels apprehended carrying drugs and the origins of various cargoes and their intended destinations are some of the factors which, when correlated with other data, elicit the inferences above. The Putumayo River constitutes part of the border between Colombia and Peru. It flows southeastward for 1,600 kms. from its head in southwestern Colombia to the Leticia Trapezium where it confluences with the Ucayali River.²⁴ The Putumayo is mostly navigable, but for shallow-draft craft only. Transpadane cocaine trafficking has been documented. River ferries have been the vessels involved. The Ucayali, Marañon, and Madeira Rivers are all extensions of the Amazon River System. The Amazon River itself extends for 6,570 kms. westward from its delta mouth on the Atlantic coast of Brazil to southwestern Colombia falling only a few hundred kilometers short of actually con-

necting with the Pacific Ocean. The Ucayali and Marañon Rivers, respectively 1,610 and 1,609 kms. in length, are massive feeder rivers flowing into the Amazon River from Peru. The Madeira River with a length of 3,240 kms. is another tributary which flows from central Bolivia into Brazil where it confluences with the Amazon River at Itacoatiara, Brazil. The lower 1,000 kms. of the Amazon from Belem to Manaus, Brazil is fully navigable for all ships provided they maintain a draft of 14 feet or less. The Amazon is navigable the rest of its length into Colombia as well as up the Marañon River to Iquito, Peru by river vessels. The Ucayali River is navigable for its entire length by small craft. The extensive navigability of the Amazon River and its Peruvian tributaries has led to it being designated an international waterway.²⁵ Peru, Ecuador and Colombia all possess international shipping rights on the Amazon River though it is predominantly Brazilian territory. The proximity of the upper reaches of the Amazon River and its tributaries to the primary coca and cannabis cultivation sites of South America invites illicit utilization. The best indirect evidence of riparian drug trafficking on these rivers are the massive quantities of drugs appearing in Brazilian cities and ports to be refined, consumed locally and transhipped abroad. While some of it undoubtedly comes overland and by air from the interior, the opportune positioning of the Amazon River System virtually pre-ordains its utilization in the drug trade. Corroborating evidence to the plausibility of the route is the reverse (upriver) trade in precursor chemicals. Intelligence information provided by the American CIA and DEA documents the substantive use of the Amazon River for illicit shipment of acetone, ether, toluene, MEK and acetic anhydride to Colombia.²⁶

4.1.4.3 Rivers Of Significance In The OECD States

The principal rivers conducive to riparian or transpadane drug trafficking within the OECD states include the Danube, Elbe, Rhine and Seine Rivers in Europe and the Mississippi, Rio Grande and St. Lawrence Rivers in North America. Originating in the southern part of West Germany the Danube flows 2,850 kms. southeastward through eastern Europe before emptying into the Black Sea. Though a vital inland shipping artery the volume of traffic is well below that of other European rivers. It is linked to the Rhine River by the Rhine-Main-Danube Canal System. Hence, it is technically possible to ship a cargo consignment by waterborne transport from the Black Sea to the North Sea through Europe. Navigation is impeded by ice in the winter and seasonal fluctuations in water levels. River vessels and barges are the common transport modes. The river provides a suitable water conduit for drugs being shipped into Europe from Southwest Asian and Near Eastern sources. To date, data on drug smuggling on the Danube is scant and thus its occurrence has to be considered negligible. The major factor for lack of such illicit trafficking (or lack of knowledge of such activity) are the many Eastern Bloc countries through which the Danube flows. Presumably, the anticipated thorough security and control measures exercised by these states in regard to international river commerce dissuades Western drug traffickers from making use of this route. The question probably hinges more on the degree to which individuals and groups within the communist states are participating in the drug trade. This point is of particular interest in light of the two overland Balkan drug routes which have been detected.

The Elbe River extends for 1,159 kms. from its estuarine mouth on

the North Sea transecting the northeast corner of West Germany and then East Germany. The first 100 kms., from its terminus at Cuxhaven up to Hamburg, are fully navigable by ocean-going ships while the next 745 kms. are navigable only by river vessels and barges. Seizure records over the years show that drugs concealed within legitimate cargo consignments or on the ships themselves have been shipped up the Elbe to Hamburg. Most of the drugs onboard ships entering the Elbe are enroute from renowned exportation or trans-shipment ports.

The Rhine River extends for 1,320 kms. from its North Sea terminus in the Netherlands through West Germany to Switzerland. Considering the high degree of riparian commerce on the Rhine and the presence of the largest seaport in the world, Europort/Rotterdam, at its terminus, which makes an excellent drug trans-shipment link, the river clearly is an opportune medium by which to transport drugs inland.²⁷ The Rhine-Main-Danube Canal System connecting the Rhine with the Danube provides another water route to countries straddling the latter river. Narcotic and psychotropic substances either illicitly manufactured or diverted from licit supplies in the Netherlands along with those imported by sea or air to Rotterdam can easily be distributed to the major German cities of Dusseldorf, Koln, Bonn, Mainz, Frankfurt, Mannheim and Stuttgart as well as Strasbourg in France and Basel in Switzerland. Evidence of riparian drug trafficking on the Rhine to date is exiguous though intelligence analyses suggest this route as very plausible. Cocaine, codeine, dilauidide-atropine, dionine and morphine have all been seized onboard tugboats engaged in international commerce sailing downriver from West Germany to the Netherlands.²⁸ Undoubtedly, a primary factor for the few seizures is the lax control mechanism over commerce on the

river resulting from the amicable relations between the riparian states. Though possible, transpadane drug trafficking does not occur primarily because of the preponderance of structural links across the river.

The Seine River extends for 761 kms. from its mouth at Le Havre on the English Channel into central France. Mostly navigable, except for its upper reaches, the river is an important commercial artery for France to the extent that a considerable amount of France's foreign trade moves on it. Ocean-going ships can sail up the Seine as far as Rouen while riverine vessels carry cargoes up to Paris. Though infrequent, drug importation does occur as documented by the seizures effected at Le Havre and Rouen. In 1984 more than 97 kgs. of marijuana were found submerged in the Seine.²⁹ Virtually all the drugs seized were concealed in legitimate cargo consignments or on the vessels themselves. Considering the importance of the Seine to French commerce and the normal trans-shipment roles played by Le Havre and Rouen the question arises as to what extent have drugs been transhipped to riverine vessels for domestic distribution upriver. It is reasonable to presume that the modern and facilitated trans-shipment processes at these ports permit cargo consignments bearing concealed drugs to pass, somewhat more readily, undetected.

The Mississippi River extends for 3,779 kms. from the Gulf of Mexico rather directly northward to Minnesota virtually bisecting the U.S.A. The Illinois River physically completes the bisection by connecting the upper Mississippi with Lake Michigan. Thus, there is a water link between the Great Lakes and the Gulf of Mexico which is commercially viable. Transit time for barge traffic from New Orleans to Chicago is 15 days. The many important tributaries of the Mississippi

provide an extensive inland waterway network throughout the midwestern United States. The Arkansas, Missouri, Ohio and Tennessee Rivers all confluence with the Mississippi. Possessing the most developed barge transport system in the world and having the U.S.'s busiest port, New Orleans, at its mouth, the Mississippi provides a most opportune, integrated and vulnerable network of inland waterways for distributing illicit drugs. However, based on intelligence data, riparian drug trafficking appears confined to the private vessels and yachts which sail the river system. Additionally, it may be said that such trafficking occurs because the mariners themselves engage in drug use while on the job. The importation of drugs by sea to New Orleans is well documented and therefore access to drugs is easy. The question to be addressed is to what extent are drug trans-shipments occurring between the vessels importing the drugs and those used for distribution of the illicit cargo consignments upriver. Transpadane drug trafficking does not occur because of the sufficient structural linkages across the river. All drug trafficking is domestic in nature because the river is solely within the U.S.A.

The utilization of the Rio Grande River in drug trafficking stems from its role as the international border between Mexico and the U.S.A. Extending for 3,030 kms. from its mouth at Brownsville, Texas on the Gulf of Mexico loosely northwestward into New Mexico to its origin in the San Juan Mountains in Colorado, the river is virtually unnavigable. Its unique position between Mexico, which is a principal producer of cannabis and heroin, and the U.S.A. which is a principal consumer of these substances, nurtures transpadane drug trafficking which is international in nature. To be fair, the majority of drugs entering the U.S.

across the Rio Grande are smuggled in motor vehicles utilizing the official crossing and entry points. In terms of proportion, a larger share of the total volume of drugs trafficked into the U.S. cross the western segment where there is solely a land border. It is the portion of drugs physically crossing the Rio Grande via its water medium which are under discussion here. Generally too shallow for vessels of consequence, most drug trafficking utilizing the river involves swimmers or small boats. Wading, which is possible at various times and occurs, is not included under the concept of waterborne drug smuggling. In compiling the statistics presented later the portion of drugs seized from waders is tallied in with other overland transport modes.

Located in eastern Canada, the St. Lawrence River extends for 3,058 kms. southeastward from the Gulf of St. Lawrence to the St. Lawrence Seaway and Great Lakes. It provides direct access for ocean-going ships to the Canadian ports of Montreal, Quebec, Sorel and Trois-Rivieres. As is well documented, cannabis and, to a lesser degree, heroin have been imported to Canada via these ports. Most of the riparian drug trafficking occurring is international in nature because the ships come from foreign ports. Additionally, there is a minor degree of transpadane drug trafficking which is international in character because of the river's function in areas as the boundary between Canada and the U.S. In one instance in 1986 cocaine totalling 0.5 kgs. was seized at Prescott, Ontario after having come by boat from the American side.³⁰

Other rivers in the OECD states which have been linked to or serve as drug trafficking conduits include the Guadalquivir, Thames and Weser Rivers in Europe and the Potomac, Tombigbee and Willamette Rivers in

North America. The Guadalquivir River extends for 560 kms. from Sanlucar de Barrameda on Spains's southern Atlantic coast to the Sierra de Cazorla Mountains in Jaen Province. Though canalized, ocean-going ships can sail the 80 kms. up to Sevilla and riverine vessels ply the river onwards to Cordoba. Hard data is scant, but the riparian drug trafficking that has occurred was international in nature and resulted from ships docking in Sevilla which came from abroad. Riparian drug trafficking on the Thames River in England is well documented by all the seizures made at both London and Tilbury docks over the years. Though the Thames extends for 336 kms. inland from its mouth by Southend on Sea westward to Gloucestershire, it is only navigable by ocean-going ships up to London; the rest of the way up to Lechlade limited to barges. All the drug smuggling occurring is international in nature because the ships carrying drugs are inbound from foreign ports. However, drug smuggling on the Thames is declining because the ports of London and Tilbury are being overshadowed by other coastal ports. The Weser River extends for 480 kms. from Munden in West Germany, where it is formed by the confluence of the Fulda and Werra Rivers, northward to the North Sea. It is navigable by ships up to Kassel though most maritime traffic only goes as far as Bremen. Furthermore, the Weser is connected with the Elbe and Rhine Rivers by the Midland Canal System. Consequently, the Weser provides an additional conduit for distributing drugs by river throughout West Germany and further into Europe. Based on records to date, riparian drug trafficking is an infrequent event. The little smuggling that has occurred has been international in nature because the drugs seized were imported on ships coming from abroad docking at Bremen. Located on the US Eastcoast and extending only a few kilometers

inland from its mouth on Chesapeake Bay, the Potomac River has been a conduit for drugs imported by yachts and private vessels. In one notable instance 6,060 kgs. of cannabis were seized from a yacht in 1974.³¹ Too small and shallow to be used much by commercial shipping, not to mention the presence of major ports nearby, most of the drugs imported are either carried directly from the Caribbean basin or are offloaded from motherships lying off the U.S. coast. Stretching for 640 kms. rather longitudinally through western Alabama, the Tombigbee River confluences with the Alabama River to form the Mobile River which flows into the Gulf of Mexico. It connects with the Tennessee River via the recently completed Tennessee-Tombigbee Waterway thus giving the Tennessee Valley region another outlet to the sea besides the Mississippi River System. Utilizing a series of locks and dams the Tombigbee is navigable but by river vessels and barges only. Drug trafficking is rife, but, interestingly enough, is dominated by yachts and pleasure craft. The subsequent discussion on the Tennessee-Tombigbee Waterway elaborates on this. The Willamette River connects the Port of Portland in Oregon with the Pacific Ocean. Though intermittent, drug trafficking on the Willamette is well documented by the many seizures made on ships over the years in Portland. Virtually all the riparian drug trafficking occurring is international in nature because the drugs are imported from foreign ports.

4.1.4.4 Pertinent Canals And Waterways

The man-made canals and waterways of significance to the maritime drug trade are the Suez Canal, Panama Canal, Kiel Canal, St. Lawrence Seaway and Tennessee-Tombigbee Waterway. The importance of some of them

has already been indirectly revealed. The vulnerability of the international waterways to drug trafficking was first recognized in the 1920s. Of the five the Suez Canal sees the greatest throughput of illicit drugs. In the period 1985-86 230 kgs. of heroin were seized passing through the canal.³² Connecting the Mediterranean Sea with the Red Sea the Suez Canal nearly halves the sailing distance between Arabian and Indian ports and northern European ports. The Bombay-London route is reduced to 6,260 n.ms. via the Suez Canal as opposed to 10,700 n.ms. via the Cape of Good Hope while the Kuwait-London route is reduced to 6,500 n.ms. compared to 11,300 n.ms.³³ A long-haul route between the Far East and northern Europe is reduced by about 30%. For example, the Singapore-Rotterdam route is 8,310 n.ms. via the Suez Canal as opposed to 11,820 n.ms. around Africa.³⁴ The strategic link the canal provides between the many Asian ports from which drugs are exported and the consuming states of Europe ensures its steady usage as a smuggling conduit for illicit cargoes. Because the drugs are usually concealed within legitimate cargo consignments onboard freighters, containerships and other dry-cargo vessels which are always capable of transiting the Suez Canal, virtually all drugs shipped to Europe and sometimes North America from Asian ports transit the canal. All of the trans-canal drug trafficking is international in nature. Additionally, the canal's unique position transecting the isthmus between Egypt and the Sinai Peninsula has led to a high level of cross-canal drug trafficking - analogous to transpadane drug trafficking. Though bridges link the two sides of the canal, seizure records show a high incidence of cross-canal smuggling; this was particularly true in the past. The drugs crossing the canal were either carried in water-proof sacks by swimmers or on small boats

and fishing vessels. Today, the Sinai Peninsula is Egyptian territory hence, all cross-canal smuggling is domestic in scope. In the past, when Israel occupied the Sinai, cross-canal drug trafficking was particularly rife and international in nature, but smuggling has declined since the territory became Egyptian.

Somewhat contrary to the previous situation, the Panama Canal, which bisects the Isthmus of Panama, permits the easy shipment of cannabis and cocaine to both coasts of North America. Drug trafficking via the Panama Canal generally involves vessels coming out of ports on the Pacific coast of Colombia, Ecuador, Peru and Chile bound for ports in the Gulf of Mexico, the eastcoast of North America and Europe. Alternatively, there is some trafficking from ports on the Caribbean coast of Colombia, Venezuela and Brazil destined for ports along the westcoast of North America. In the former the directional movement of flow through the canal is southwest to northeast while in the latter it is the transverse (southeast to northwest). The Panama Canal sees a two-way traffic in drugs, all of which is international in nature. Generally, the cannabis and cocaine are concealed within legitimate cargo consignments onboard freighters, containerships and other dry-cargo vessels. There is no cross-canal trafficking and trans-canal smuggling of drugs by private vessels and yachts is negligible because the risk of interception is high.

Drug trafficking via the Kiel Canal is deemed inconsequential. Physically separating the Danish mainland from Europe the canal has a length of 98.2 kms. and connects the North Sea with the Baltic Sea. The canal reduces the voyage distances into the Baltic Sea by 190 - 290 n.ms. (depending on the vessels' tonnages and their routes otherwise

around Denmark). However, the amount of drug traffic bound for ports in the Baltic and Gulf of Bothnia is relatively minor. The only OECD states therein are Sweden and Finland. Poland is a non-OECD state which conceivably is a destination for drugs transiting the Kiel Canal. Of the 90,000 ships transiting the canal annually, more than 75% of them are only 1,000 g.r.t. meaning they are, for the most part, short-haul carriers.³⁵ Consequently, the likelihood of them coming from drug embarkation ports is negligible though it cannot be ruled out that they are not carrying drugs since their loads may be cargoes transhipped in other European ports where scrutiny was minimal (because the cargoes in which the drugs are concealed were in transit). Alternatively, coastal traders may be coming from the Mediterranean as a result of being engaged in medium-distance haulage and have unknowingly acquired a drug consignment which they carry through the Kiel Canal. Regrettably, when drug seizures at ports within the Baltic region are effected no data on the precise route is recorded which can be retrieved later to determine the significance of drug trafficking via the Kiel Canal.

Comprising five sections inclusive of 17 locks, the St. Lawrence Seaway extends for 304 kms. from Montreal to Lake Ontario. Use of the seaway is seasonal and it is subject to closure in winter, due to ice conditions. Capable of accommodating ocean-going vessels, the seaway raises them from sea level to an elevation of 183.5 meters equal to that of the Great Lakes. While not a common event, trans-seaway drug trafficking does occur. To the extent that ships travel in to the Great Lakes it may be said that lacustrine drug trafficking involving commercial shipping also transpires. Generally, all drugs smuggled through the seaway are concealed within legitimate cargo consignments or in the

vessels themselves. When trans-seaway trafficking of drugs does occur, it is always international in nature because the ships are coming from foreign ports.

As already noted, the Tennessee-Tombigbee Waterway connects the upper Tombigbee River with the Tennessee River. Considered by critics of the waterway to be nothing more than a result of American 'pork barrel' legislation the 376.6-km. waterway was built to allegedly facilitate inland commerce. However, the projected barge traffic has yet to develop and that which currently transpires is greatly outweighed by that of pleasure craft and yachts; many of which come up the Mobile and Tombigbee Rivers from the Gulf of Mexico. Mississippi police are convinced that the Tennessee-Tombigbee Waterway has instead become an important conduit for drug trafficking from the Gulfcoast up into the central states of the U.S.³⁶ Yachts in particular are believed to be coming directly from international waters into the U.S. and up the waterway without restrictions thus verifying its massive potential for large-scale drug smuggling.³⁷ To date, a quantitative assessment of the problem is lacking.

There are other canals and waterways which undoubtedly have been or are sites of maritime drug trafficking. However, little is known of the illicit activities occurring therein and they are deemed insignificant to the overall maritime trade in illicit drugs. Examples include the Rhine-Main-Danube Canal System and Midland Canal System which have been cited and the Corinth and Erie Canals which were not mentioned. The latter two, respectively located in Greece and New York State, play important roles in the commerce of the regions in which they are situated.

4.1.4.5 Pertinent Straits And Passages

The complex configuration of land and sea within the global network of trade routes superimposed thereon creates strategic passages of vital significance to waterborne commerce, both licit and illicit. Because a considerable amount of the maritime drug trade involves the use of legitimate commerce, these strategic passages are concomitantly important to its route structure as well. For example, drug traffickers shipping cannabis by sea from either India or Pakistan to any port in Europe will generally ensure that their illicit cargo is carried on an appropriate ship which transits the Red Sea, the Suez Canal and, if destined for northern Europe, the Strait of Gibraltar. In order to enter the Red Sea the ship will have to transit the Bab el Mandeb Strait. The amount of time required for a voyage around the Cape of Good Hope not to mention the lack of dry-cargo commerce circumnavigating Africa dictates this. Changing the destination of the above ship to a port in the Persian Gulf means the vessel will instead have to transit the Strait of Hormuz. A more vivid example is the shipment of heroin or cannabis from ports in the South China Sea to any port in the Indian Ocean, East Africa, Middle East or Europe. In order to enter the Indian Ocean any vessel must transit either the Straits of Malacca and Singapore, the Sunda Strait or the Lombok Strait. The balance of the maritime drug trade not carried on commercial ships but by privately chartered vessels also must transit straits and passages in order to transport their illicit cargoes to their slated destinations. Because the physical geography of land and sea is not subject to change (in the short-term), in several cases the same straits and passages used by commercial carriers are transited by the private sector as well. However, in many instances

the utilization of these smaller and private vessels is often predicated to an appreciable extent on their better suitability for drug trafficking in a particular region or along a specific route. Consequently, these traffickers frequently use different straits and passages and carry the lion's share of drugs moving along a certain maritime conduit. Their vessels' unsuitability for long-haul transport, not to mention conspicuousness in far-flung places which would only draw attention, induces drug traffickers to instead engage them in short-haul and medium-distance trades and take advantage of their appropriateness (read: inconspicuousness) to the region. A prime example is the Caribbean basin. All the yachts, fishing vessels, coastal traders and pleasure boats blend into the backdrop or mosaic of life and activity in the region. The geographical structure of the Caribbean basin mandates that all vessels coming from Colombia, Venezuela and select Central American ports and bound for North America essentially must transit one of four passages to enter either the Gulf of Mexico or Atlantic Ocean. The Yucatan Channel, Windward Passage, Mona Passage and Anegada Passage are the only northward links and thus are of strategic importance to not only the drug trade but commerce in general. The eastward and thus removed position of the Lesser Antilles from the basic flow direction negates somewhat the use of the many passages between those islands. In addition to lengthened voyage times, small vessels face the added risks of danger posed by the open ocean and difficulty in accessing refuge. This same analogy applies to the waters and archipelagos of Southeast Asia. Yachts, however, do not figure prominently there. Instead, inter-island traders, fishing vessels, junks and other regional craft ply the many diverse straits and passages throughout the Indonesian,

Papua New Guinean and Philippine archipelagos.

The most important straits and passages for shipping and through which drugs are smuggled regularly are the Bab el Mandeb, Hormuz, Lombok, Makassar, Malacca, Singapore, Sunda and Torres Straits in the Indian Ocean region; the Dover, Gibraltar and Kattegat-Oresund Straits in European waters; and, the aforementioned passages in the Caribbean basin. The trafficking of illicit drugs via these straits, channels and passages is well evidenced. Much of the data verifying the fact is obtained in the follow-up investigations into seizures effected after the actual transit of the drugs through these straits and passages. Thus, that which follows is inferred in many cases. Formed by Djibouti and North Yemen, the Bab el Mandeb is a 14 n.m.-wide strait linking the Red Sea and Indian Ocean (via the Gulf of Aden). Due to the position of Perim Island in the strait the wider section (9 n.ms.) called Large Strait is used by commercial shipping. About 50 ships a day transit the Bab el Mandeb Strait.³⁸ The opening of the Suez Canal linking the Mediterranean Sea with the Red Sea assured the importance of the Bab el Mandeb Strait to maritime commerce and its utilization for the transit of illicit drugs between Asia and Europe. Additionally, local dhows and traders traverse the strait carrying drugs to ports in the Red Sea from East Africa and the Arabian Peninsula. Bordered by Oman and Iran the Strait of Hormuz links the Persian Gulf with the Arabian Sea (via the Gulf of Oman). Though 29 n.ms. wide at its narrowest point, the navigable channel is only 20.7 n.ms. wide.³⁹ The export of oil from virtually all states in the Persian Gulf combined with a hefty demand for imported goods nurtures the strait's heavy use. Generally, 80 ships a day transit the strait.⁴⁰ However, recent events connected with the

Iran-Iraq conflict, notably the attacks on shipping within the Persian Gulf, have reduced that level of traffic. Drug trafficking through the Strait of Hormuz goes back to the 1800s while drug transport dates back to the period of Arab domination on the seas in the 10th through 13th centuries. Besides modern shipping, a fair amount of drug trafficking involving dhows and other regional trading craft still thrives. The Lombok Strait, situated between the Indonesian islands of Bali and Lombok, is an alternative link between the Indian Ocean and South China Sea (via the Java Sea). Though drug trafficking does transpire the extent of it is unknown. Utilized predominantly by deep draught vessels such as tankers and bulk carriers prohibited from transiting the Straits of Malacca and Singapore, the degree of drug trafficking via the strait by the commercial sector is relatively minor because these vessels are less frequently involved in such activity today. Instead, regional drug trafficking by local vessels and craft is more significant. Situated between the Indonesian islands of Borneo and Celebes, the Makassar Strait is of sole importance for traffic bound for the Lombok and other nearby straits from the South China Sea or Pacific Ocean (via the Celebes sea) and for local commerce. Consequently, most drug trafficking is regional in character and involves inter-island traders and local craft. Positioned between the western Malay Peninsula and Indonesian island of Sumatra, the Strait of Malacca extends for 500 n.ms. from the Andaman Sea to the Singapore Strait which provides the final link to the South China Sea and Pacific Ocean. The Singapore Strait itself extends for 75 n.ms. from the eastern terminus of the Malacca Strait ten miles due south of Tanjong Merawang, Singapore to the South China Sea. About 150 ships a day transit the Straits of Malacca and Singapore.⁴¹ Both

trans-strait and transfretational (cross-strait) drug trafficking occurs, is well documented, and dates back to historical times. The concentration of maritime drug smuggling in these straits virtually outstrips that of any other strait or passage. The trans-strait drug trade generally involves commercial carriers or regional traders engaged in legitimate commerce. The trans-strait drug trade is a two way trade with either drugs being exported from Southeast Asian ports and destined for ports west of the Malacca Strait or, conversely, Asian drugs being imported to the region from sources in the Golden Crescent, India and the Middle East. The transfretational drug trade involves predominantly inter-island trading vessels and local craft which are transporting the drugs southward from Thailand, Malaysia and Singapore into the Indonesian archipelago and Australia. Situated in the Indonesian archipelago between Sumatra and Java, the 12 n.m.-wide Sunda Strait, like the Lombok Strait, is another alternative to the Straits of Malacca and Singapore. Basically, the trafficking scenario described for the Lombok Strait applies to the Sunda Strait as well. However, it is reasonable to assume that the degree of local drug trafficking is less because the Sunda Strait opens directly into the Indian Ocean somewhat further distant from Australia and the southern islands of the Indonesian archipelago. Formed by the Cape York Peninsula of Queensland, Australia and the southwestern corner of Papua New Guinea, the Torres Strait serves as the principal maritime thoroughfare by which shipping can sail most directly to Australia's eastcoast ports and New Zealand from virtually all points throughout Asia and the Middle East. Technically speaking, the strait itself is 20 n.ms. wide and situated between the Australian islands of Banks and Hammond adjacent to the tip of the

peninsula. Drug trafficking involving commercial carriers transiting the strait bound for Brisbane, Port Kembla, Sydney and Townsville in Australia and Auckland, Lyttelton and Wellington in New Zealand is well documented. The cumulative number of seizures made over the past four decades in these ports attests to a continual trade though, comparatively speaking, lesser quantities are involved. Resulting from the proximity of England to France, the Dover Strait connects the English Channel with the southern part of the North Sea and ranks as the busiest strait in the world (of those used for international navigation). About 350 ships a day transit the Dover Strait.⁴² Though 18 n.ms. wide at its narrowest point the navigable portion reserved for trans-strait traffic is only 10 n.ms. wide. The many seizures of drugs from commercial carriers and their cargoes in London, Tilbury, Amsterdam, Rotterdam, Antwerp and Hamburg all attest to the role of the Dover Strait in the maritime drug trade. Additionally a fair amount of transfretational drug trafficking occurs due to the extensive ferry services linking France and the U.K. In the latter mode the smuggling of drugs is divided between commercial cargo consignments carried in RO-RO containers or on lorries and private passengers engaged in entrepot or organized trafficking activities. The importance of the Strait of Gibraltar has already been cited. Situated between Morocco and Spain, the strait provides the link connecting the Atlantic Ocean with the Mediterranean Sea and all points eastward accessible via the Dardanelles and Bosphorus into the Black Sea or via the Suez Canal into the Indian Ocean. About 200 ships transit the Strait of Gibraltar daily.⁴³ The transit of drugs via the Strait of Gibraltar is well documented by all the cargoes subsequently seized from ships which exited the Mediterranean carrying

such illicit cargoes from Cyprus, France, India, Iran, Italy, Lebanon, Pakistan, Sri Lanka, Syria, and Turkey. As in the Dover Strait, there is a substantial level of transference of drug trafficking via the ferries linking Spain and Gibraltar with Ceuta and Morocco and by fishing vessels and local craft which carry drug loads from Morocco to isolated coastal sites along Spain's southern coastline.

Also mentioned earlier, albeit briefly, the Kattegat-Oresund Straits constitute the natural maritime link between the Baltic and North Seas. Possessing a north-south axis of orientation and situated between eastern Denmark and Sweden's southwest coastline, the combined straits total 164.4 n.m.s. in length. At its narrowest points the Kattegat Strait is about 23 n.m.s. wide, but the breadth of the navigation channel is restricted to 12 n.m.s. The Oresund Strait at its narrowest points (Helsingor-Helsingborg) is only 2 n.m.s. wide. On average, 142 ships transit the Kattegat-Oresund Straits daily.⁴⁴ Though trans-strait drug trafficking occurs, relatively speaking, it is minor. The demand for drugs by the coastal states in the Baltic region is not high enough to warrant frequent importations, particularly when there are other and, in some instances, more practical methods of distributing drugs to those states. Some of the trans-strait traffic in drugs involves pleasure boats and yachts which voyage down into the Baltic Sea from Norway and Sweden in the summer and acquire drugs in continental Europe. However, as far as is known, the scope of this traffic is small-scale. Therefore, the quantities carried northwards through the strait are small and the trade, as a whole, is seasonal. Instead, most of the drug smuggling of a maritime nature transpiring across the Oresund Strait results from the frequent ferry services between Denmark and Sweden. A

large amount of the drugs taken across the strait are carried by recreational users, the hard-core addicts, entrepot traffickers and professional couriers. A well-known case, reflecting a mix of the two latter categories, concerns the British Life Guards Officer convicted of transporting 50 kgs. of Moroccan cannabis into Sweden by car and ferry from Ibiza.⁴⁵

In essence, there are many passages and straits through which to exit the Caribbean Sea, but the four most prominent, from both the licit and illicit perspectives, are the Yucatan Channel, Windward Passage, Mona Passage and Anegada Passage. Though the latter one is more eastward and thus removed from the general trade flow between North America and all points in Central and South America that are within the Caribbean, all four straits serve as the most direct and efficient way for shipping to voyage northward to ports in the U.S. and Canada and, in many instances, to Europe as well. While certainly navigable, the many passages between the islands of the Lesser Antilles in the eastern Caribbean are basically only used by commercial vessels bound for Europe and by private vessels engaged in drug smuggling and employing circuitous and diversionary routes of shipment. Because a fair amount of the maritime traffic in drugs to the U.S. and Canada involves concealment within legitimate cargo consignments onboard commercial vessels, these drug shipments resultantly transit one of these four straits. Commercial economics dictates that ships engaged in trade use the most direct routes, from a navigational standpoint, unless other factors preclude it. Additionally, all private vessels engaged in drug smuggling to North America must use the same straits unless they desire to traverse one of the circuitous routes. Subsequent investigations into

many of the drug seizures effected in the southern U.S., its adjacent waters and in the Caribbean islands attests to this being the case. Ignoring the political and ideological discord and accompanying cynicism existent in the region as a result of the Marxist nature of Cuba, it is noteworthy to observe that Cuba reports a high incidence of drug trafficking via its adjacent straits. Between 1970 - 1986 Cuba seized 250 m.ts. of marijuana, 1 ton of cocaine, 735,000 qualude pills, 147,000 dilaudid pills along with 63 vessels and 20 aircraft.⁴⁶ In geographical terms, the Yucatan Channel is the northwestern exit from the Caribbean Sea and leads to the Gulf of Mexico. Formed by the Yucatan Peninsula and the western tip of Cuba, it is about 111 n.ms. wide. Situated 1,135 kms. eastward between the eastern tip of Cuba and Cap-a-Foux, Haiti, Windward Passage is 45 n.ms. wide and leads to Old Bahama Channel and, via channels in the Bahamian archipelago and Turks and Caicos Islands, to the Atlantic Ocean. Across Hispaniola to the east, Mona Passage is the 33 n.m.-strait between the Dominican Republic and Puerto Rico. It leads directly to the Atlantic Ocean and is frequently traversed by ships bound for ports in the Mid-Atlantic and New England states of the U.S.A., Canada and northern Europe. The Anegada Passage is 48 n.ms. wide and situated between the British Virgin Islands and Anguilla. It also leads into the open Atlantic Ocean. Though no figures can be given for the quantities of drugs trafficked, chiefly cannabis, cocaine and minor amounts of psychotropic substances, it is neither far-fetched nor ludicrous to presume that some of the highest densities of drug smuggling in the world occur via these straits.

4.1.5 The Role Of Commercial Shipping Routes

Inherent in the analysis so far and referred to frequently is the role which shipping routes play in the maritime drug trade. It cannot be underemphasized that both the character and extensiveness of maritime commerce today provides a massive pre-existing network of transportation units and routes by which to smuggle drugs. Because commerce is essential to the basic welfare of states and their societies, at least in economic terms, it must and will occur. As demonstrated, validated and reinforced over centuries of occurrence, smuggling in general is a viable method of exporting, transporting and importing commodities which are deemed illicit for whatever reasons so declared. Smuggling of illicit goods concealed within legitimate cargo consignments is a time-tested activity and, in several instances, virtually an industry in its own right. Depending on the source, somewhere between 81% - 99% of world trade by volume and 80% by value moves by sea.⁴⁷ Concomitantly, an extensive trade network envelops the globe composed of singular trade routes and regional trade matrices which provide a myriad of readily available and easily penetrable conduits by which to smuggle drugs. However, the spatial disequilibrium in endowment of resources and commodities throughout the world and the divergent but fixed locations of suppliers and consumers establishes shipping routes which are not egalitarian in usage. Furthermore, the global arrangement of land and sea as modified by man dictates the geographic distribution and structure of the shipping routes. The resulting variations in density of shipping traffic and volume commensurately affects the structure of the maritime drug trade. Where an expedient and heavily utilized shipping route coincides with the flow path of a given drug, it will be exploited

by drug traffickers. The volumetric ratio of a drug moving via the commercial shipping route will, relative to other transport modes, be higher. Conversely, another given shipping route of either lesser utilization or involving inappropriate cargoes (not suited for concealing drugs) or not providing a suitable link to the consumption states will generally see a lesser proportion of the drug being shipped on commercial vessels. The underlying proposition to the point presented here is that there is a certain constancy to some of the factors which determine the transport structure of a given drug trade while other factors function as variables. Analogous to the scientific experiment or trigonometric equation where the magnitude of a variable distorts the balance or influence of the other factors, the same applies here though the factors involved are not quantitative nor readily measurable. The aspect of availability of commercial shipping routes falls into the category of a variable. Hence, where it is significant and factored into the 'equation', the magnitude of its role increases the share of the overall drug trade conducted via that mode at the expense of select other modes. Of course, in reality, no such conscious analysis built along these lines occurs. Rather, this is merely a technical explanation of a natural but subliminal phenomenon. The basis for incorporating an appropriate and busy shipping route into the drug trade is twofold. Imprimis, the high volume of traffic on the route provides a constant flow of cargoes and ships within which to transport drugs. Secondly, the high volume of traffic to certain destinations invariably means that the receiving port or ports are operating at, or near, capacity and, as a result, the port officials are frequently hardpressed to maintain effective control over all incoming cargo. Therefore, the

possibilities for cursory searches and general laxness in control are enhanced and the chances of illicit cargo consignments getting through are increased. An incidental facet of a busy sea route is the inevitable presence of many other vessels and craft along the route. These vessels are either local traders or service-related vessels. Conducting a trafficking operation involving similar vessels becomes attractive because they blend into the scene and their presence would not be immediately queried. Elaborate smuggling schemes can be set up involving both the commercial shipping sector and the latter group on the shipping route. An example of a heavily travelled route which evidences the points just made is the one between northern Europe and ports in the Middle East and southern Asia incorporating the Mediterranean Sea and Suez Canal.

The reverse dimension involving shipping routes that are not heavily used also impacts on the structure of the maritime drug trade. For consumption areas situated along or serviced by shipping routes of lower traffic density or inappropriate cargos yet better served, in drug trafficking terms, by seaborne modes of transport, the smugglers adjust for the lacking conduit by implementing and utilizing local craft and privately chartered vessels. The private and covert sector of maritime drug trafficking compensates and complements the commercial sector and consequently either rivals or dominates, in terms of proportion of carriage, the maritime component of a given drug route. The regional drug trades in Southeast Asian waters and in the Caribbean Basin are moderately valid examples. In both cases, there is heavy traffic through the regions by commercial shipping, but within the regions it is considerably less. This is because many of the states concerned lack

sufficient trade volumes to sustain higher magnitudes of commercial traffic. Therefore, a large segment of the maritime component of the drug trade in these regions relies on both local trading and private vessels for the carriage of drugs by sea. However, it should not be construed that the non-maritime modes of drug transport may not account for the majority share of drugs trafficked on that given route. Obviously, where a lack of feasible and profitable maritime modes of transport exist, the smugglers will resort to other modes of conveyance.

4.2 The Microscopic Perspective

The bases for maritime drug trafficking being such a viable enterprise are four fundamental yet, from the pragmatic perspective of law enforcement, neglected aspects concerning the maritime medium. The physical nature of the sea in general as a medium on which to transport commodities is patent and similarly its conduciveness to smuggling appears obvious and is taken at face value. Regrettably, in real terms the extent of diversity and complexity which the sea grants smugglers is virtually limitless. It is this point which is not appreciated out of ignorance. Secondly, while exoteric to the seafarer, smuggler and customs officer engaged in rummages but ignored by everybody else is the structural intricacy of vessels. Both ships and boats along with the cargoes themselves present a unique and most opportune mechanism by which to smuggle drugs. Thirdly, the physical morphology of ports and all the concomitant infrastructure therein, maritime activity and surrounding urbanization promotes their suitability for illicit activities. The very essence of a port and that which makes it such simultaneously nurtures smuggling both incidentally, as a natural but ancillary by-

product of commerce, and intentionally, by traffickers seeking to capitalize on vulnerability factors. The problematic dimension posed by free trade zones in respect to drugs is subsumed under ports because of their physical presence therein. Lastly, the coastal geography of any given state's littoral zone can either pre-empt or complement the drug traffic occurring via its ports. The desolation yet physical suitability of select coastal areas provide attractive inducements for conducting clandestine drug importations or exportations. These four elements are of the microscopic level because of their intrinsic, singular or confined dimensions. They are the core of the maritime drug trade and their significance is the crux of the premise for this study. It is either the lack of recognition and understanding of these aspects or casual and superficial acknowledgement of them by individuals in government, in law enforcement and in policy-making which nurtures the maritime drug trade. The U.S. has of late woken up to the importance of these aspects. Lamentably, in their rush to institute control programs they have promulgated policies and actions which are a waste of effort and time and are cost-ineffective - when viewed from the results obtained compared to resources input. The "zero-tolerance" policy introduced by the US Customs Service in 1988 and the US Coast Guard's program of port blockades are laudable but ill-conceived examples.⁴⁸ To punctuate the point about their significance, it is worth observing that these aspects exemplify, positively or negatively, the real and physical components of the Mahanian doctrine as modified by Craven. Notably, the 2nd, 3rd and 6th principles are exemplified by the physical attributes while the point about lack of cognizance or respect of these aspects is the perjorative manifestation of the 4th principle. Simply put, without

a susceptible land/sea interface and conducive transport mode there would be no maritime drug trafficking. For those states of an insular form the argument advanced here is most applicable. Based on parliamentary debate over employing the armed forces to combat drug smuggling it appears the U.K. accepts the concept.⁴⁹

4.2.1 The Maritime Medium

The fluid nature of the sea with a specific density which permits vessels with impermeable hulls to ride on the surface prefaces all notions of waterborne commerce. The sea surface serves as a homogeneous medium by which a vessel can travel from one given land/sea interface point to another such point - allowing for coastal configurations and bathymetry. The pervasive extent of the oceans and all their adjunct water bodies provides a uniform medium of connectivity throughout the world. Discounting the effects of the weather, the moon and geostrophic forces, the sea is level and of a constant elevation (called sea level). In essence, innumerable routes exist; the only limitations being economics and prudent navigation. Consequently, ships have the greatest latitude in selecting a course. Though ships and all other vessels, irrespective of how small, are relatively slow compared to other modern transport modes, they are not affected by land morphology, gradients and inclines or atmospheric constraints imposed by technical requirements of lift, velocity and pressurization. The combination of slowness in speed, being at sea level and being readily intercepted by other vessels and craft which either ride the sea or fly through the lower atmosphere promotes shipping's role as a smuggling conduit. It is very easy for a small boat or fishing vessel to rendez-vous with a ship and transfer a

drug consignment or for the traffickers to conceal their cargo within the sea. The latter is achieved by placing the drugs within water-proof containers which are weighted and submerged into the sea to rest on the seabed. The location of the submerged drug consignment is established by a tethered surface-floating marker and retrieval is simply effected by hauling up the line. Aside from other vessels which may be in the given area and the horizontal proximity of the coast, the sites of such drug trans-shipment points (which effectively is what they are) are essentially isolated. There has been no colonization or urbanization of the sea and the combined dimensions of depth, weight and quantum of water in the water column over the site are certainly isolating factors - at least in terms of visibility and open detectibility. In comparison, it should be observed that a modern jet travelling at high altitude cannot be intercepted for the purposes of transferring or discharging drug cargoes. Simply put, nobody walks on or off an aircraft flying at 10,000 - 12,000 meters altitude with a speed of 800 - 900 kms. per hour. The same analogy applies for a train moving along at 100 - 200 kms. per hour on a set track. In neither case are the mediums (air and rail) receptive to ready diversions or interceptions.

4.2.2 The Nature Of Ships And Boats

In the preceding section inferences were made about the nature of a ship and the flexibility of shipping. That which ensues here deals mainly with merchant vessels and applies to those which are carrying the drugs either unknowingly, or with limited crew participation or, if knowingly, as an adjunct activity complementing their normal commerce. Ships which are acquired solely for shipping drugs are not encompassed

by this discussion since presumably their drugs are carried openly in the holds and it is not the art of concealment that is being practised. Instead, it is the arts of deception and avoidance of detection as a whole that are utilized.

From the standpoints of structural design and construction, ships are, without doubt, the most intricate transport mode made. They are also often the most massive in terms of length, breadth, cubic dimension, tonnage and cargo capacity. Comparatively speaking, motor vehicles, trains and aircraft are all small with the first two being relatively simple while the latter must be labelled as the most complex and structurally sound. When vessels are viewed from a distance, as for many of us it is how we observe them, they appear to be nothing more than a hull and superstructure with variform deck equipment. Inside the hull we know there is an engine, fuel tank and, presumably, some cubic space set aside for cargo. What is not recognized is the intricacy in structure of that vessel under observation and its accompanying equipment. In conjunction with its large size these aspects attain greater significance since they create innumerable places for concealing drugs. The diversity in concealment options is mind-boggling and, from the practical point of view of one who must undertake searches of ships, impregnable. Basically, drugs can be concealed on a vessel - their whereabouts a secret known only to the concealer - and in a hundred years they would never be uncovered except by accident or in a perscrutation of such an elaborative nature that the vessel is virtually being disassembled. Attempting to define every conceivable and viable cache for drugs on a ships is senseless. The end result would be nothing more than a voluminous catalogue and is extraneous to the directive

of this study. Instead, a summary listing some of the more prevalent, ingenious and unique places are cited in Table 4.4. All are documented cases. It must not be assumed, merely because of the discussion's emphasis to within the vessel, that the concealment of drugs is limited to onboard or within it. Drugs can be attached to the hull or towed along affixed to a chain or line connected to the ship. An example of this dates back to 1982 involving a banana ship which called at Cardiff,

Table 4.4 Places And Methods Of Drug Concealment Onboard Ships.

Site And Method of Concealment.	Data Reference/Source.
- in a tin in propeller shaft tunnel.....	E/NS.1954/Sum. 4, p. 24.
- in a tin stored in disused ballast tank.....	E/NS.1954/Sum. 4, p. 24.
- in tins and sacks stashed inside a forced air draught shaft used for feeding boilers.....	E/NS.1954/Sum. 4, p. 24.
- inside empty/non-functioning CO2 cylinders.....	DND/IH/1986/CRP.3, p. 9.
- in 121 packets stashed on cross-members inside the rudder post tank (access is through a manhole).....	E/NS.1954/Sum. 9, p. 14.
- in sacks hanging on rungs of steel ladder and amongst block and tackle stashed inside escape hatch leading from engine room to deck.....	E/NS.1957/Sum. 9, p. 7.
- in bags concealed in an opening under a fake valve and pipe assemblage which had been constructed for concealment purposes; the entire locale being beneath the metal plate flooring of the engine room (which had to be unscrewed to reveal cache).....	E/NS.1957/Sum. 9, p. 7.
- inside air vents or pipes.....	DND/IH/1986/CRP.3, p. 8.
- in double bottom (access by manhole and shaft from deck in forepeak).....	E/NS.1954/Sum. 8, p. 24.
- inside paint cans in paint locker.....	DND/IH/1986/CRP.3, p. 8.
- in chain locker.....	personal observation.
- inside or underneath coils of lines in fo'scle.....	personal observation.
- in lifeboat (under gunwale).....	E/NS.1953/Sum. 2, p. 3.
- inside pipe joint in a crew toilet.....	DND/IH/1986/CRP.3, p. 9.
- on top of wire ducting wherever sufficiently wide.....	DND/IH/1986/CRP.3, p. 9.
- in crew members' quarters.....	E/NS.1961/Sum. 8, p. 6.
- among provision stores.....	DND/IH/1986/CRP.3, p. 9.
- inside a sand box.....	DND/IH/1986/CRP.3, p. 9.
<p><u>Note:</u> UN Doc. DND/IH/1986/CRP.3 (titled <u>Effective Ship Searching And Rummaging</u>) which was prepared by the British Government in regard to its colony of Hong Kong categorizes 78 diverse places for hiding drugs.</p>	
<p><u>Sources:</u> The UN documents as listed and personal experience as a mariner.</p>	

Wales with drugs suspended by chain beneath the vessel.⁵⁰

An additional aspect of ships and cargo vessels is their ready capability to transfer drug consignments to other maritime modes of conveyance. As cited earlier, ships can voyage freely and be intercepted anywhere by smugglers. This aspect provides diverse possibilities for organized smuggling involving two or more ships or vessels in a preplanned rendez-vous or sequence of them. It has to be borne in mind that the rendez-vous need not require the ship to stop at all or the active participation of the entire crew. Instead, it may simply involve a motor launch, fishing vessel or yacht briefly coming alongside a ship at night and the drugs being thrown over to it or, in a reverse scenario, the drugs being passed to it. Organization on the part of the traffickers in their smuggling operation ensures that they know which ship to meet, its planned route and expected time of transit so as to coordinate the rendez-vous.

4.2.3 The Vulnerability Of Cargoes

Besides the vessels themselves, the other viable method of smuggling narcotic and psychotropic substances involves concealing them within legitimate cargo consignments. Because shipping accounts for between 81 - 99% of all commerce, it inherently means that illicit cargoes will be carried in maritime trade as well. Marine cargo is considered very attractive to drug smugglers for a number of reasons: imprimis, the smugglers do not travel with their drug consignments, thus reducing the risk of being caught along with their illicit cargoes; secondly, fictitious consignees and addresses can be used; thirdly, the extensive level of commerce limits search considerations; and fourthly, dockside

conspiracies become a feasible dimension in landing the drug loads.⁵¹ Furthermore, the variform and diverse cargoes all beg consideration by smugglers as caches for concealing drug consignments. Obviously, only some cargoes are suitable because either the method of stowage is appropriate or the individual commodities and raw goods being shipped present opportune crevices, compartments and hollow spaces in which to place drugs. An example of the former are containerized cargoes while coffee sacks, machinery and equipment units, which may be either containerized, palletized or loose for handling, typify the latter. Examples of unsuitable cargoes are petroleum products and petrochemicals carried in bulk. Though it has been tried, the nature of petroleum shipping and cargo handling generally precludes their viability as cargoes within which to conceal drugs. Two ancillary factors are that many petrochemicals can easily dissolve the liquid-proof containers within which drugs may be stored and the fumes of the tank environment penetrate virtually anything thus destroying the consumptibility of the drugs. The latter situation is analogous to a steak cooked on a barbecue grill where too much lighter fluid is used on the charcoals to get them glowing such that the meat absorbs lighter fluid taste from the fumes released. Many other bulk cargoes such as cement and ores are likewise unsuitable even though they are dry cargoes because the cargo handling systems (eg. vacuum-suction, slurry-conveyors, etc.) do not permit or guarantee that the drugs will pass through them unscathed. Generally speaking, the cargoes used as caches are dry cargoes carried in some unitized form (eg. container, crate, pallet, sack, etc.) and on shipping services either of the liner category or steady route charter.

The advent of containerization in the 1960s enhanced the viability

of smuggling drugs. The basis for its development, namely to facilitate the efficiency and expedition in cargo conveyance and flow, and the mass explosion in its utilization concomitantly raised the potentiality of drugs shipped in containers getting through undetected. Today, their limited resources and time allotted for cargo reviews means a majority of customs services are unable to undertake the thorough checks of every cargo consignment entering the country. The nature of containerization involving the stowage of goods, which in many instances can be diverse in category, in a confined cubic space with a limited entry means and the thousands of containers moving rapidly on the quayside simply does not allow for detailed analysis of every container. The additional factors of some cargoes being perishable or in high demand by the consignees necessitates brevity in contemplation of cargo reviews. Lastly, the structure of the container itself provides numerous hiding places. All of these points have been conceded to by Canada's Custom and Excise service which admits that drug smugglers gain from containerization.⁵² Similar conclusions were published in Australia by the Joint Commonwealth and New South Wales Task Force in their report titled Security Of Wharves And Containers.⁵³ Hence, a cargo-search program based on an emphasis of target cargoes and random searches frequently will have to suffice. The pressure and antagonism which would be incurred from the commercial sector as a result of exhaustive and protracted cargo checks forces this perspective.

Another dimension of containerization which facilitates drug trafficking is that in free trade zones and trans-shipment ports containerized cargoes generally are not subject to searches because they are in transit. Since they are sealed, the contents are unrevealed

aside from what the manifest states. This aspect of containerization encourages the use of free trade zones and trans-shipment ports (and states) in the drug trade. In the cases of palletized and exposed cargoes the same holds true but then any drugs shipped would have to be concealed within the actual unit or units of cargoes. Because of the virtually innumerable types of cargoes and diverse methods of stowage and carriage it is beyond the scope of this treatise to list them all. Instead Table 4.5 summarizes a select but well documented cross-section of cargoes within which drugs have been smuggled.

Table 4.5 Select Examples Of Cargoes Used For Concealing Drugs.

Year	Drug & Quantity	Method of Stowage/Route	Data Reference/Source
1950	- Opium solution [Qty. Unstated]	Within a load of lemons where the naturally-present lemon juice had been extracted and opium solution injected (into the U.K.).....	UN Doc. E/NS.1950/Sum. 2, p. 19.
1954	- Opium [396.893 kgs.]	Inside biscuit tins labelled as containing gramophone records (Egypt to Aden).....	UN Doc. E/NS.1955/Sum. 3, p. 8.
1954	- Opium [523.899 kgs.]	Inside biscuit tins labelled as containing gramophone records (Kuwait to Aden)....	UN Doc. E/NS.1955/Sum. 3, p. 9.
1985	- Methamphetamines [68 kgs.]	Stuffed in 8 vinylchloride syringes concealed inside wind-surfing boards (Taiwan to Japan).....	NPA, DPLJ 1986, p. 36.
1985	- Hashish [532 kgs.]	Hidden among 1,400 motor mounts in 70 cartons of Mercedes Benz car parts (India to Canada).....	Canadian C & E, 1985 Drug Report (Ottawa, 1986), pp. 31-32.
1986	- Hashish [590.2 kgs]	Hidden amongst oranges packed in crates (Cyprus to the U.K.).....	The Times, May 13, 1986 (London), p. 7.
1986	- Hashish [337.7 kgs.]	Concealed in 2 guillotine shearing machines (India to Canada).....	Canadian C & E, 1986 Drug Report (1988), p. 39.
1988	- Hashish [3.5 m.ts.]	Hidden within 400 sacks of liquorice root (U.S.S.R. to the U.K.).....	The Guardian, April 30, 1988 (London), p. 1.

4.2.4 The Character Of Ports

Based on personal observation and experience as a mariner, it appears that, for the most part, ports represent a unique paradox. On the one hand they are, generally speaking, important centers of commerce and as such they function as international frontiers for both inbound and outbound vessels, cargoes and passengers. To accommodate the port's role there is a concomitant degree of maritime activity, service industry and physical infrastructure present. Usually, a fair level of government-mandated security related to the state's responsibility for border control, customs matters and general safety accompanies the port's operation. However, it is in regard to this latter point that the paradox materializes. On the other hand, port security in the form of zonal exclusions (to the resident population), efficient security of warehouses and stowage areas and sufficient customs officers or other law enforcement agents (eg. marine police, national drug agency, etc.) is lacking or inadequate in several countries and, in some instances, non-existent. In Australia, New Zealand, Portugal and the Scandinavian countries anyone can enter the port areas and stand next to a ship having arrived from a foreign port - a point ruefully acknowledged by the New Zealand Customs Dept. in relation to their ports.⁵⁴ Contraposingly, international airports have disproportionately extensive and elaborative security systems for what must be considered a highly regulated, if not rigid, port infrastructure. Further factors destroying the capacity for effective port control are the myriad of local vessels and craft present within the port and the localized marine geography. Bunker barges and tankers, launches, lighters, pilot boats, supply tenders, tugboats and patrol craft are all common vessels with

bonafide reasons for being present on the waters of the port and coming alongside ships either at anchor, dockside or navigating through the port. It does not take much imagination to devise smuggling schemes predicated on the beneficial presence of these service vessels. Tugboats are an example. Large ships, particularly foreign ones, usually need or utilize tugboats for docking and undocking. The tugboats come alongside positioning or securing themselves against the ship, either inside or outside the port area, before the vessel has reached berth and awaiting officialdom. There is nothing to prevent a crew member from passing a package of drugs to the tugboat. The ship's officers and attendant pilots are preoccupied with navigational matters and fellow crew members are either busy, elsewhere, involved or ambivalent thus negating the likelihood of such a transaction being seen or reported. This scenario, with minor modifications, applies to any of the other categories of service vessels. The setting of the port and the physical geography of the circumjacent area generally determine its utilization in drug smuggling involving private parties. The ubiquity of yacht harbours, fishing industries, abandoned piers and warehouses and shallow bathymetry all grant the trafficking operation diverse avenues for landing drugs in a port. Yachts and fishing vessels can readily come alongside a ship momentarily and procure a drug shipment. Alternatively, the drug package may be thrown over the side in a buoyant water-proof container and retrieved by a boat which has been hovering nearby. Another version involves heaving the drug parcel over the side while the ship transits the port and sinking it to the seafloor with a small buoy marking its resting place. The drug consignment is subsequently retrieved by boat. A kaleidoscope of slight variations to

these three scenarios exist which, with a little fine tuning, ensure successful drug importations. The physical morphology of a port creates a land/sea interface of diverse but vulnerable dimensions. The circumjacent littoral zone is variform in nature ranging from sandy beaches to garbage-strewn marshes to solid cement and steel docks to decaying finger piers and rotted pilings. The juxtapositional onshore zone is of a complementary nature ranging from farmland leas to parks to mass urban dwellings to storage terminals, refineries, tank farms, bulk cargo depots, shipyards, gutted warehouses and crumbling freight-handling facilities; all of which may be interspersed and unsystematic in their distribution. In relation to an active trafficking operation, these environs benefit the smugglers by providing them with variform potentialities and options for landing drugs which are unobtrusive and unguarded.

Many modern ports employ a combination of radar, real-time camera monitors and patrol craft to protect their waterways and borders. However, as anyone working in a harbour-related industry can attest to, these devices all have shortcomings and limitations to their efficacy. Radars, commonly used for vessel traffic control, cannot "see" behind hills, massive and tall buildings or ships. There is, so to speak, a lee side to objects where radar is blind. Furthermore, most objects simply appear as dots or blips on the 'scope' hence, there is no way to determine the legitimacy of every vessel observed by radar. Under certain meteorological conditions (eg. hail, rain and snow storms) radar temporarily loses the capacity to detect anything. Monitoring cameras have limited value because they are in fixed locations and confined to the direction or breadth of field (if oscillating) to which the lens

points. Once again, inclement weather impairs their effectiveness (especially fog and mist). Even if perfectly functional, the issue of interpretation of a scene on the monitor which is illicit or incongruous in nature is dubious. A viewer (in this instance a customs or drug agent) could see a bustle or lack of activity in certain areas of the port and never see anything out of the ordinary. An innocuous-looking speedboat could sneak up alongside a ship on the camera-blind side (the side of the ship away from the camera). Even if the transference of a suspicious object is observed the question hinges on the response time of patrol craft or of catching up with the 'drug' boat before it vanishes and disposes of the drug consignment by either passing it to another boat, disappearing in amongst old docks and terminals, landing the drug shipment or sinking it. Generally, in law, the burden of proving an offence lies with the state (prosecution) and requires that evidence be presented proving the observed "object(s)" were drugs. This is very difficult to do if no drugs have been seized. Patrol craft are of value, but only if they are continually present. For most states where government expenditures are a paramount issue to the population, it is difficult to maintain an extravagant patrol program which permits a constant vigilance throughout the port. The capital costs incurred, along with the perennial expenses of operation, frequently are prohibitive compared to the financial resources allocated for such security programs. Hence, something less than adequate is settled for. Though pessimistic in nature, all these negatory points reflect reality and must be accepted as such.

One further contributing dimension involves the numerous personnel serving in an official capacity or possessing authorization for being

present on the wharves. Contrary to the desired but idealistic notion of scrupulosity aspired for in human behaviour and endeavour, an element of dishonesty and larceny exists in some individuals. As documented in criminal history, nowhere has the manifestation of corruptibility been more evident than on the docks. Ports have been the setting for some of the most blatant forms of illicit activity running the gamut from singular crimes to organized but small-time smuggling networks to fully integrated criminal enterprises. Among the diverse personnel exposed to such opportunities are the cargo-handling agents, consignees, customs officers, freight forwarders, immigration officers, longshoremen, port police, seamen, security guards, ship chandlers, shipping agents and truckers. The ready and legitimate access these individuals have to ships provides an easy conduit by which drugs can be taken ashore with little interference. Several cases abound but one of the better examples involves an anti-piracy guard.⁵⁵ Because thievery was a common and plaguesome problem for shipping in Singapore in the 1950s, private security guards, called anti-piracy squads, were hired to protect ships while in port. In this particular case one of the guards was apprehended with 40.123 kgs. of opium onboard his ship. The point to be taken here is that the very people entrusted to protect the vessels and enforce the law were concurrently engaged in drug trafficking - a situation that may develop anywhere.

So as not to digress from the subject at hand it has to be recognized that all ports, irrespective of shape, size, location and the prevailing political regime, are uniquely different. Any port can be conceptualized into a drug smuggler's "paradise" if one carefully analyses the myriad of features and phenomena extant therein. The best,

albeit indirect, evidence of this point being valid are the large quantities of drugs which are penetrating the ports as documented by the magnitudes of states' domestic drug problems. The fact that the shipments got through undetected attests to the ingenuity of the smugglers and the vulnerability of the ports.

4.2.5 The Role Of Free Trade Zones

Free trade zones in some form or another have existed for at least seven centuries. The ports of the Hanseatic League were proclaimed "Free Merchant Cities."⁵⁶ Synonyms for the term include export processing zones, foreign trade zones, free ports and free states. Basically, all goods and commodities within these exclusion zones are exempt from the assessment and imposition of import duties, customs tariffs and taxes (of varying forms). Because of the complexities in states' tariff structures, with intricate definitions for various goods and variable assessment rates which are open to manipulation, free trade zones have emerged as a form of extraterritorial refuges for commerce. Generally, states which permit the creation of free trade zones do so because of the beneficial socio-economic impact such zones have on the area, region or state in which located.

Drug trafficking through free trade zones is well documented. Free ports like Salonica, Greece and free states like Hong Kong and Singapore have all recorded drug seizures. Though literature on the subject is poor, the significance of this aspect has not been lost. In the 1920s and 1930s the subject of free ports was frequently discussed by the Opium Advisory Committee. The International Convention Relating To Dangerous Drugs of 1925 reflected the signatories concern over the con-

duciveness of free ports to drug smuggling by including a provision requiring contracting states to adopt sound control measures therein.⁵⁷ The CCC, DND and INTERPOL have all dealt with and discussed this subject in their conferences, working groups and published reports. The treaty on drug trafficking concluded in 1988 fully recognizes the threat by including a specific provision (Art. 18) encompassing free trade zones.⁵⁸ The problem from the smuggling perspective is that, while free trade zones are heavily controlled on their perimeters, their internal areas are left relatively unregulated; the philosophy being that it is not of relevance or threat to the domestic security or welfare of the state. Hence, within the free trade zones most cargoes are left alone, particularly if sealed. This is not to say that cargo invoices and manifests are not reviewed and that some items are not verified, but in-depth scrutiny is rare. The DND's Air & Sea Group have been strong proponents for increased surveillance measures being implemented in free trade zones because of the latter's utilization by traffickers seeking to elude detection of their drug shipments.⁵⁹ Nor should it be construed that free trade zones are drug enclaves within which drugs are exempt from confiscation. Illicit goods, specifically those possessing a criminal character, remain prohibited within free trade zones. There are two components of a free trade zone which are most vulnerable to drug trafficking. The first is its role as a trans-shipment site. The other susceptible dimension centers on the conspiratorial possibilities for smuggling drugs across the perimeter, either into or out of the host state. In the U.S. it is believed to be a very real option. Analogous to the potentiality for criminal activities involving port personnel, the same scenario exists with free trade zones. Basically, there is

nothing to prohibit the operators of a zone or the employees therein from engaging in smuggling activities. Table 4.6 provides a listing of OECD states with free trade zones in their seaports.

Table 4.6 Select Seaports In The OECD States With Free Trade Zones.

Canada (Cape Breton Island)	Australia (None)
Denmark (Copenhagen)	Belgium (None)
France (Bayonne, Bordeaux, Dunkerque, La Rochelle, Le Havre and Marseille)	Finland (None)
Greece (Salonica)	Iceland (None)
Italy (Trieste)	Ireland (None)
Netherlands (None, but has bonded warehouses)	Japan (None)
Spain (Not on mainland but the Canary Islands and Ceuta and Melilla in North Africa.)	New Zealand (None)
Turkey (Adana-Yumurtalik, Antalya, Izmir-Nemrut and Mersin.)	Norway (None)
U.K. (Cardiff, Liverpool and Southampton)	Portugal (None)
U.S.A. (Baltimore, Boston, Galveston, Honolulu, Lake Charles, Miami, New Orleans, New York, Oakland, Philadelphia, Portland, San Francisco, Savannah, and Seattle are a few examples of many.)	Sweden (None)
W. Germany (Bremen and Hamburg)	

4.2.6 The Susceptibility Of Coastal Zones And Waters

Virtually all coastal states with a land/sea interface proportional to their areal expanse commensurately possess stretches of coastline which are relatively isolated. The variable coastline with select areas seeing a concentration of infrastructure and population and other areas lacking or devoid of such urbanization is a by-product of geography, nature and human enterprise. Geographical factors responsible for such a land-use pattern include the physiographic configuration of the coast, the onshore morphology and topography and the presence of nearshore islands. The location and position of bays, coves, inlets, fjords, deltas, estuaries, river mouths, channels, passages and straits in relation to the degree of shelter they offer or

their opportune proximity all serve as magnets or disincentives for urbanization. The topography and stability of the adjacent land in terms of hospitableness and adaptiveness for settlement conjunctly serve as determinants for urbanization. The natural factors with a regulatory effect include the prevailing climatic, meteorological and oceanographic phenomena and the degree to which they are hostile to localized maritime activities. The adaptability of a coastal site or its proximity to commerce, industry and other economic activities by which society sustains itself is a primordial factor for the development of select coastal areas. Collectively viewed, the composite of isolated, rural and urban coastal areas presents a pattern of inequitable coastline frontage and usage. Because every state is uniquely different, any truly comprehensive review should look at each state individually. However, in relation to drug trafficking, there are certain common attributes either applicable to them all or generic in nature which are the emphasis here.

Generally speaking, a drug trafficking operation utilizing a desolate coastal area is clandestine in character and predicated on either a mothership operation or direct covert importation by fishing vessels and yachts. Coastal drug importations involve private boats and chartered vessels and not, for the most part, the merchant sector. The most recent trend has been for smugglers to "order specially designed vessels" which allows "them to transport greater quantities of drugs by sea with less risk of detection" and enables them "to take maximum advantage of long and sparsely-populated coastlines or remote and almost uninhabited islands."⁶⁰ This is not to say that commercial carriers may not be involved at all, but rather the preponderance of cases indicate their role to be secondary. Where the latter are utilized, they are

usually serving in the mothership capacity. The variable and, in some instances, temporal attributes of the remote coastal zone which are being capitalized on by drug smugglers include the lack of observers and detection devices, the suitable shorelines for landings, the conducive-ness of meteorological and oceanographic conditions and the daily vacillation in solar illumination. The impact or importance these attributes have in determining whether to conduct a smuggling operation can be singular, collective or ephemeral in nature. A desolate and unguarded coast with a benign or advantageous morphology is an attractive site to land drugs from the sea because the likelihood of detection and apprehension is considerably reduced. In the event an ongoing operation is detected there is a fair chance the smugglers can either elude or escape their pursuers because of the remoteness of the coastal area. The distance from a large settlement or support base from which reinforcements must travel gives the smugglers time to either complete their operation, abort it and flee to sea or rid themselves of the drug consignment. Concomitant with the desolate coast is the fact that offshore waters may be less frequently traversed and therefore suitable for mothership operations. A mothership operation involves two or more vessels. The first vessel transports a drug load from wherever it is obtained to the waters off the state to which it is destined. There, it is transferred to a second vessel (and perhaps others) which assumes the task of physically landing the drugs within the state. The coastal waters off a desolate coastline permit the transference of a drug shipment much closer to shore because of the reduced risk of land-based detection and, presumably, marine patrols are less frequent. Coastal sites frequently used for direct clandestine importations include the

Algarve in Portugal, the southern coastline of Spain, the westcoast of the U.K. and the gulfcoast of the U.S.A. Coastal areas noted for off-shore mothership operations include the eastern seaboard of the U.S. and Canada. A more ingenious but variant version of the mothership operation entails using the seabed and capitalizing on the presence of a fishing industry either commercial or recreational in character. Instead of the two vessels meeting the mothership sinks their drug cargo to the seafloor inside of water-proof containers. A buoy, connected by line to the sunken shipment, is deployed to mark the site of its resting place. At any time thereafter an innocuous-looking vessel comes out and retrieves the drug consignment though outwardly pretending to be hauling up 'shellfish traps'. The latest trend has been to deploy transponders on the seafloor with the sunken drug shipments thus eliminating the need for surface markers.⁶¹

When referring to the conduciveness of weather and sea conditions and fluctuation in daylight it is their negative elements which are deemed desirable. Within the milieu of these three factors are certain phenomena which, when they occur, obscure the surroundings of the coastal environs thus making detection and apprehension difficult. Among these phenomena are fog, mist, rainstorms, blizzards, night-time and select sea conditions. Whenever these conditions arise either individually or in tandem, they either severely impair or prevent visibility. Spotter aircraft, patrol vessels and satellites all become functionally useless. Radar, which is the only viable equipment for detection during these conditions may also be hampered or unable to 'see' anything. Even if it is functional it cannot segregate a drug-laden vessel from another 'legitimate' vessel. To have patrol craft

checking every vessel image on the radar scope is an ineffective method of patrol. For drug smugglers with an organized operation and 'state-of-the-art' navigational equipment, the prevalency and occurrence of these natural phenomena is most beneficial. With good navigation and, if necessary, coded conversation by radio pre-established geographic coordinates for a rendez-vous either at sea or along the coast are easily found. Though undesirable for effecting the transfer of drug loads at sea or when physically landing such consignments on exposed shores, certain sea conditions offer a physical or psychological cloaking to such smuggling operations. Without elaborating upon the technical aspects which allows the physical condition to be possible, let it be said that in certain instances the structure of a vessel above the waterline in relation to the height of select sea states is of such position that it presents no satisfactory reflective surface thus preventing a proper reflection of incoming radar waves. For this to occur, the sea state must consist of swell with a wave length and wave height which in relation to the vessel's hull and superstructure are sufficiently large so as to shield the vessel from the radar waves, thus creating the illusion that nothing is there. The technical invisibility results because the turbulence and distortion of the sea surface prevents transmitted radar waves from detecting the vessel (ie. the vessel is below the radar's "line of sight"). Obviously, there are intermittent moments when a vessel riding through such a sea will ride high in the water and thus above its 'shield' so that it is visible to radar. However, the irregular but constant 'up and down' motion of the vessel creates a fragmented trace. If the timing of the vessel's 'up' periods coincides with the time period between sweeps by the radar rather

frequently, then the trace is even more disjointed. Vessels conducive to the phenomenon are generally small with low freeboard and few abrupt angular surfaces above the deck. The psychological aspect results from the collective assumptions in many peoples' minds that nobody in their right mind would be out on the sea during certain inclement sea conditions. Hence, patrols are curtailed, minimized or stopped and attention to surveillance and detection equipment is reduced. Though conducting a smuggling operation in rough weather is dicey, it is not impossible and for those competent in the ways of the sea it is a matter of routine. The important dimension of the preceding discussion concerns the degree of relativity entwined in the factors cited. In order for many of the points noted to have validity, a proportionality and timeliness in their application, manifestation and occurrence is required. Though this dimension is a real and essential component of smuggling, it involves intangible factors beyond control. Because of the many variations possible concerning the actual methods employed to land drugs and the advantageous conditions in which to conduct smuggling operations, it is futile to describe them all. In essence, there are no limitations to drug smuggling involving the desolate coastline except the limits of one's imagination and equipment available. That this point is valid is readily evidenced by all the drugs which are present within a state and which, in many cases, are known to have entered by sea. It should be recognized that the reverse scenario is just as plausible with drugs being exported from the coastline. In this case aircraft can play a role by bringing the drug loads out to ships and dropping it to them - a scenario which has been tried and proven.⁶²

Notes And References For Chapter IV.

1. The Times Atlas of the Oceans, ed. Alastair Couper (London: Times Books, 1983), pp. 26 & 226.
2. A precise physiographic figure is unobtainable because of no data and lack of surveys being the case for some states while others only report general figures based on simple linear (distance) or polygonal circumference (configuration) measurements hence, excluding diverse indentations and embayments being factored in. The figure provided is derived from computation of individual figures listed in the table titled "Coastline lengths and areal extents of states" found in Appendix II of The Times Atlas of the Oceans, op. cit., p. 227. Because the table was slightly incomplete the missing data was obtained elsewhere from independent sources.
3. The Times Concise Atlas of the World (London: Times Books, 1986), p. 4.
4. In addition to The Influence Of Sea Power Upon History, 1660-1783 (London: Sampson Low, Marston & Co., 1892) Alfred Thayer Mahan incorporated his philosophy into subsequent works on imperial states, war and the colonial era. Examples include The Influence Of Sea Power Upon The French Revolution And Empire, 1793-1812 [Vols. I & II] (1892), The Interest Of America In Sea Power, Present And Future (1897) and Sea Power And Its Relations To The War Of 1812 (1905).
5. J. P. Craven, "The Future Of The Sea Based Deterrent," Adelphi Paper No. 124 (1976).
6. Ibid, p. 9.
7. UN Doc. DND/WP.1985/10, p. 5.
8. The term "inconsequential" is used in a relative sense to indicate that the degree of drug consumption, as measured by the number of users and quantities consumed, is not significant compared to the quantity of drugs transiting the state.
9. Initiated in 1987 EUROTUNNEL is the name given for the tunnel currently under construction which will link France and the U.K. It is worth noting that the tunnel will only be a rail link and that controversy has arisen concerning its vulnerability to sabotage and

destruction. See for example S. Alford, "Chunnel 'vulnerable' to seabed explosion," New Civil Engineer, No. 775 (1988), pp. 4-5.

10. Oresund is a narrow strait separating the Danish island of Sjaelland from Sweden. At its narrowest points (Helsingor - Helsingborg) the strait is 3.7 kms. wide. However, the closest that Sjaelland is to the Danish mainland or West Germany is 37.8 kms. and 82.5 kms. respectively discounting other intervening islands between them.

11. A bridge over Oresund has been on the drawing board for decades but actual construction has not occurred to date. Every ten years or so there is a review of proposals, plans and slated projects, but nothing results of it. Prohibitive costs are the usual cited factor. The latest proposal is called SCANLINK, or, more correctly, the Scandanavian Link Project. A consortium of large companies (eg. Volvo et al) and politicians are lobbying for this project.

12. LN Doc. C.299.M.182.1936.XI.15, p. 37.

13. On average 200 ships a day transit the Strait of Gibraltar. Datum is taken from The Times Atlas of the Oceans, op. cit., p. 157.

14. While many references to the transit roles of Bulgaria, Syria and Turkey are easily found the role of the Soviet Union has been an enigma. Until recently, public admittance by the U.S.S.R. of such activity has been nil and to outwardly denotate the country as a transit state was deemed dubious. However, lately evidence has been surfacing which indicates that drug trafficking via the U.S.S.R. is a real event. In April 1988 3.5 m.ts. of Afghani cannabis were seized in the U.K. after having traveled overland through the U.S.S.R. from Kabul to Leningrad where it was transhipped to a ship bound for Tilbury. (See: N. Darbyshire, "Anglo-Soviet link in drug coup," The Daily Telegraph, April 30, 1988 (London), pp. 1 & 32.) Prior to that, in November 1986 more than 1.2 m.ts. of Afghani hashish were seized in a container transiting the U.S.S.R. bound for West Germany. (See: CCC, Enforcement Bulletin [Special I.C.D.A.I.T. Edition], June 17, 1987 (Brussels), p. 2.)

15. A. McNicoll, Drug Trafficking - A North-South Perspective (Ottawa: North-South Institute, 1983), pp. 21-22.

16. C. Thomas, "Noriega 'made \$300m' from drugs," The Times, February 12, 1988 (London), p. 8.

17. NDIU, "Portugal," Drugs Arena, No. 7 (London, 1989), pp. 21-22.

18. Canadian Customs & Excise, 1986 Drug Report (Ottawa, 1988), p. 39.
19. See for example UN Docs. E/NS.1959/Sum. 1, p. 7 (Case No. 11) and E/NS.1960/Sum. 8, p. 12 (Case No. 272).
20. In Siam's 1925 governmental report to the Opium Advisory Committee it was noted that "geographical conditions render preventive work most difficult." See LN Doc. C.328.M.88.1928.XI.3, p. 189 (Report of Siam for 1925).
21. See for example UN Doc. E/NS.1958/Sum. 9, p. 16 (Case No. 289).
22. UN Doc. E/NS.1958/Sum. 2, p. 11 (Case No. 53).
23. See for example UN Doc. E/NS.1951/Sum. 4 under Burma in the listing of reported opium cases.
24. The Leticia Trapezium is a thin, elongated protusion of Colombian territory southward providing Colombia with its sole port on the Amazon River. Situated between the Amazon and Putumayo Rivers the Leticia Trapezium was long a disputed area between Colombia and Peru until finally settled by treaty in 1922 and subsequently reaffirmed by the League of Nations in 1934.
25. The Amazon River was opened to international navigation by Brazil on 31 October 1853.
26. S. Penn, "U.S.-Made Chemicals Supply Narcotics Labs Across Latin America," The Wall Street Journal, July 13, 1988 (New York), pp. 1 & 8.
27. In 1984 the total volume of Rhine cargo traffic was 188 million tons; of which 116 million tons went upstream and 72 million tons traveled downriver. Refer to The Economist's The World in Figures (London: Hodder & Stoughton, 1987), p. 230. Constructed between 1958 and 1970 Europort is the principal oil refining center in the world. Petrochemicals, iron ore and grain are other major bulk commodities handled in large quantities. On average, 100 million m.ts. of cargo pass through Europort/Rotterdam annually both to and from inland destinations along the Rhine River and its related canal system. Refer to The Times Atlas of the Oceans, op. cit., p. 125.
28. Refer to UN Docs. E/NS.1947/Sum. 4, p. 49 and E/NS.1948/Sum. 4, p. 30.
29. La Douane Francaise, Saisies De Stupefiants Achemines Par La Voie Maritime De 1981 A 1987 (Au 31 Aout) (Paris, 1987), Table for 1984.
30. Canadian Customs & Excise, op. cit., p. 39.

31. UN Doc E/NS.1980/Sum. 1.
32. UN Doc. E/CN.7/1988/3, p. 7.
33. The Times Atlas of the Oceans, op. cit., p. 153.
34. Ibid, pp. 230-231.
35. Ibid, p. 153.
36. W. E. Schmidt, "On Boats And Bears And Bones," The New York Times, November 18, 1986 (New York), p. A18.
37. Ibid.
38. The Times Atlas of the Oceans, op. cit., p. 154.
39. Ibid.
40. Ibid.
41. Ibid, p. 151.
42. Ibid.
43. Ibid, p. 157.
44. Ibid.
45. S. Tendler and C. Mosey, "Evidence could clear officer," The Times, March 28, 1987 (London), p. 7.
46. Government of the Republic of Cuba, Drug Consumption And Traffic 1986 (Havana, 1986), p. 6 and insert table.
47. The lower figure (81%) is derived from A. Herman, Shipping Conferences (London: Lloyd's of London Press, 1983), p. 1 while the higher figure (99%) and value figure come from A. E. Branch, Economics Of Shipping Practice And Management (London: Chapman & Hall, 1982), p. 13.
48. The "zero-tolerance" policy, implemented by Pres. Ronald Reagan in the Spring of 1988, mandates the arrest and confiscature of any and all property including vessels on which drugs are found regardless of how minute the amount. An example of the application of this policy was the seizure by the USCG of the US-flagged Ark Royal, a 40-meter luxury yacht, following the detection of 2.8 gms. of marijuana. See: M. Isikoff, "'A War Footing' on Drugs Urged in U.S.," International Herald Tribune, May 26, 1988 (Paris), p. 3 and L. Parker, "U.S. Crackdown on Casual Drug Use Leads to Seizure of Luxury Yacht," International Herald Tribune, May 10, 1988 (Paris), p. 3.
49. The Home Affairs select committee advocated the use of the military in 1985. See: R. Evans, "Armed services aid urged by MPs to combat drugs war," The Times, May 24, 1985 (London), p. 1.

50. T. Jones, "Drug chained to banana boat, jury told," The Times, June 5, 1985 (London), p. 3.
51. Canadian Customs & Excise, op. cit., p. 38.
52. Ibid.
53. JCNSWTF, Security Of Wharves And Containers (Canberra: Australian Government Publishing Service, 1985), pp. 240-260.
54. G. Smollett, (interview with Chief Customs Officer, Investigative Services, NZ Customs Dept. in Wellington on 22 September 1987.
55. Refer to UN Doc. E/NS.1950/Sum. 4, p. 26.
56. H. G. Grubel, Free Market Zones (Vancouver: The Fraser Institute, 1983), p. 64.
57. 81 LNTS 317; 123 BFSP 666; Cmd. 3244; 3 Hudson 1589; JOF 8 Nov 28; UKTS 27 (1928); 29 Vert A 388. (See Art. 14.)
58. Refer to UN Doc. E/CONF.82/13.
59. UN Doc. DND/WP.1985/11, p. 8.
60. UN Doc. E/CN.7/1986/11/Add. 3, p. 3.
61. J. P. Craven, (prepared remarks presented at the 22nd Annual Conference of the Law of the Sea Institute held in Narragansett, Rhode Island on 12 - 16 June 1988).
62. See UN Docs. E/NS.1961/Sum. 1, p. 2 (Case No. 2) and E/NS.1964/Sum. 7, p. 7 (Case No. 308H).

V. THE MARITIME DRUG TRADE TODAY.

5.1 The Global Overview

The trafficking of drugs by sea in the 1980s has reached a level unprecedented in the history of the activity. Moreover, when analysed on a volume per annum basis the illicit drug trade of today far exceeds the quantities of opium shipped by sea annually during the heyday of the latter's trade. The point being emphasized is that in the later part of the 19th century the opium trade possessed legitimacy albeit contrived thus negating the need for smuggling. Commensurately, a voluminous flow was to be expected. In contrast, the drug trade today is illicit yet it exceeds the levels found in the 'free-flow' period. As Table 5.1 shows, the total quantity of drugs seized from the maritime sector in the period 1980 - 1986 exceeds 14,300 m.ts. Concomitantly, a survey of the coastal OECD states indicates that only between 8 - 12% of the total volume of illicit drugs being trafficked are seized inclusive of the maritime component of the drug trade.¹ To be fair, this statement is sweeping in scope and ignores the categorical variations and divergences extant in frontier control and law enforcement effectiveness. For example, the seizure of cannabis (all forms and types) overall is believed to be greater in ratio thus favouring the higher end of the percentage range given. A range rather commonly suggested for cannabis alone is 10 - 17% overall. Consequently, this figure offsets the lower seizure ratios often noted for cocaine, heroin and select psychotropic

Table 5.1 Maritime Drug Seizures In The World, 1980 - 1986.

Drug Type	Quantity (kgs.)	Drug Type	Quantity (kgs.)
Cannabis.....	14,338,509.533	Amphetamines.....	649.447
Cocaine.....	38,117.725	Diazepam.....	972.350
Heroin.....	4,157.209	Methaqualone.....	10,412.405
Morphine.....	195.854	Stimulants.....	89.520
Opium.....	1,262.443	Others.....	163.679
		TOTAL	14,394,530.164
<u>Source:</u> Crude data compiled from DND drug summaries and then verified/modified according to national statistics.			

substances. Additionally, because of enforcement efforts and geography some states believe they sustain a higher interdiction rate while other states project the figure as lower. A clear example of the former is the U.K. which estimates a seizure ratio of 10 - 20% of all drugs bound therein with cannabis and heroin topping the high side of the range.² Conversely, Finland notes that their success in interdiction is considerably less and holds to a figure of 3 - 5% overall both for itself and globally.³ Table 5.2 lists seizure percentages for the various OECD states where known or offered. To culminate this particular discussion and establish the validity of the opening remarks of this chapter all that is required is some informal extrapolation of the facts and figures. For the sake of simplicity it is observed that the quantity of drugs seized annually from the maritime sector averages just over 2,050 m.ts. In comparison to the annual volumes of opium shipped in the mid to late 1800s, as evidenced in Table 2.1, it is seen that the 1980s figure is comparable. However, the modern figure (2,050 m.ts.) must then be placed in proper perspective by equating it to the interdiction ratio. Resultantly, extrapolation prompts the realization that the actual quantity of drugs moving today inclusive of the seaborne mode is between 8.3 - 12.5 times greater than the volume observed at any given

Table 5.2 Drug Seizure Ratios Amongst The OECD States.

Australia	5 - 10%	Netherlands	10%
Belgium	Unknown	New Zealand	10%
Canada	stated as small	Norway	10 - 15%
Denmark	N/A	Portugal	N/A
European Parliament	<5%	Spain	N/A
Finland	3 - 5%	Sweden	N/A
France	Unknown	Turkey	N/A
Greece	5 - 9%	U.K. (Overall)	10 - 20%
Iceland	1 - 5%	(Cocaine)	10%
Ireland	Unknown	U.S.A. (Cannabis)	11%
INTERPOL	5 - 15%	(Cocaine)	18 - 20%
Italy	N/A	W. Germany	N/A
Japan (Stimulants)	3 - 5%		
<u>Notes:</u> Unknown - means the figure is stated as not known and nor is anyone prepared to offer such a figure. N/A - means that the author was unable to find the figure but that a figure may exist.			
<u>Source:</u> All percentage figures and ranges obtained in interviews and surveys or extracted from national reports.			

time currently and between 3 - 15 times greater than the volume observed in the old opium trade. To be fair, it can be argued that the population base into which illicit drugs may permeate is considerably larger, but that alone does not account for the volumetric increase in drugs trafficked, particularly in light of the advanced control mechanisms extant today.

One of the interesting but not surprising aspects of the maritime drug trade is that it adheres to some of the same fundamental principles governing legitimate commerce and shipping economics. Similar to the segregation made between bulk and precious commodities one observes a congruous distinction made between drug categories. Cannabis is a bulk commodity analogous to that of crude oil or grain. It has a low unitized value. In order for transportation costs to be recovered and profit realized, a comparatively large quantity of it must be shipped at one time. This is particularly true when the clandestine modes of con-

veyance are to be employed. Conversely, cocaine, heroin and most psychotropic substances are precious commodities analogous to that of jewellery or stereo equipment. They have high unitized values. Therefore, only a relatively small quantity of them need be shipped to cover transportation costs and guarantee profit. This distinction between the drug categories is very important because, to a fair extent, it determines the transport modes utilized by drug smugglers in shipping their consignments. Moreover, it also dictates the levels of risk the traffickers are willing to bear. In the analysis that ensues this aspect must be borne in mind because it explains not only the patterns observed in the maritime drug trade but also those observed in drug trafficking overall.

Of the nearly 14,400 m.ts. of illicit drugs interdicted in the maritime sector slightly over 99.6% of the total was cannabis. Out of the remaining 0.4% cocaine accounted for the next largest share with 0.26% followed by methaqualone (0.07%) and then heroin (0.03%). The trafficking of morphine by sea continued to decline as did that of opium. Contrastingly, the trafficking of psychotropic substances by sea grew. In addition to methaqualone, amphetamines and diazepam became substances increasingly transported by sea as measured in absolute quantity though their respective percentages remained fractional. In relation to total seizure figures on the global scale the maritime sector accounted for 17.3%. However, when the portion of drugs not found in the trafficking stage is discounted the global figure for maritime drug seizures by volume jumps to 70%. In general terms, the seizure picture of the 1980s is congruous to that depicted for the latter half of the 1970s. Of the 51 states and territories reporting maritime drug

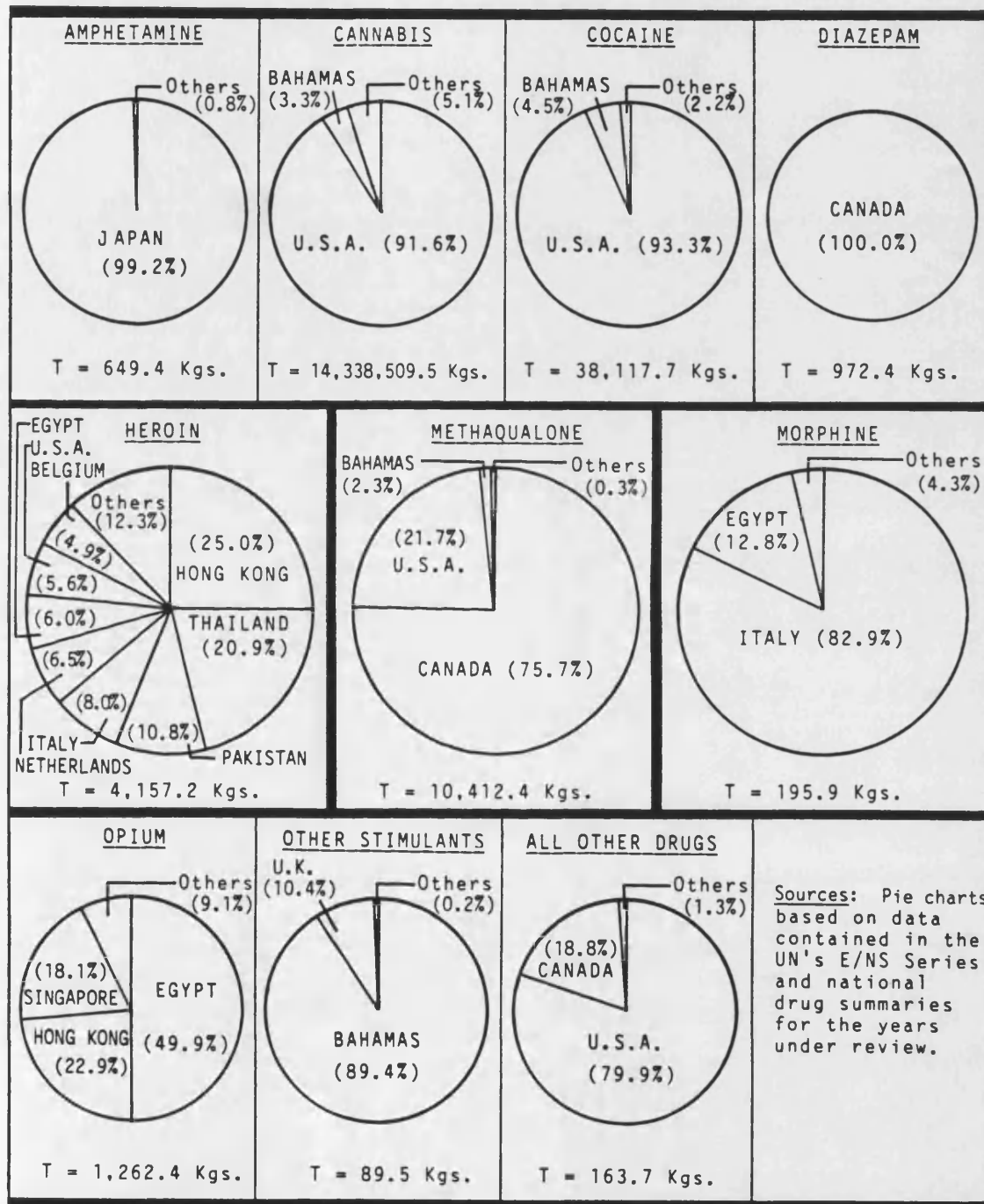
seizures in the 1980s the U.S. and the Bahamas continue to maintain their respective positions as the top two countries effecting maritime drug seizures. Canada, France and the U.K. also sustained their prominent positions though there was some reshuffling of their rankings. Table 5.3 lists the top 17 states intercepting drugs being trafficked by sea; the criterion used for the threshold level above which all states and territories are deemed major maritime apprehenders of drugs is 15 m.ts. for the period given. Unfortunately, the dominant role of cannabis in the maritime drug trade distorts the quantitative figures thus necessitating a categorical analysis. Resultantly, a clearer picture is obtained of the impact and importance of the various substances on states involved in the maritime drug trade. A further by-product of

Table 5.3 Principal States Making Maritime Drug Seizures, 1980 - 1986.

State	Quantity (kgs.)	Percentage Share	Cumulative Share
U.S.A.	13,170,729.3	91.5%	91.5%
Bahamas	469,992.1	3.3%	94.8%
Canada	120,956.0	0.8%	95.6%
Thailand	87,097.6	0.6%	96.2%
U.K.	75,217.3	0.5%	96.7%
Egypt	69,848.6	0.5%	97.2%
Netherlands	64,634.0	0.4%	97.6%
Spain	48,332.0	0.3%	97.9%
France	42,404.3	0.3%	98.2%
Belgium	41,800.5	0.3%	98.5%
Cyprus	40,128.9	0.3%	98.8%
Italy	28,578.7	0.2%	99.0%
Greece	22,556.0	0.2%	99.2%
French West Indies	22,330.0	0.2%	99.4%
Pakistan	18,515.5	0.1%	99.5%
Australia	17,686.5	0.1%	99.6%
Turks & Caicos Isl.	15,000.0	0.1%	99.7%
Remaining 34 states and territories	38,723.0	0.3%	100.0%
Source: Data derived from E/NS. Series for years 1980 through 1987 and national drug statistics.			

this analysis is that a state's significance relative to the various categories of drugs is defined and, indirectly, its role in the maritime drug trade is elicited. Figure 5.1 presents the categorical analysis. As is observed, two trends of change have become manifest overall since the previous decade. Imprimis, other substances have appeared within the maritime drug trade thus increasing the diversity of drugs trafficked by this mode. Secondly, aside from cannabis which adheres to the corresponding figure presented for cannabis in the 1970s (see Figure 2.8) most other drug categories depict alteration ranging from minor to major. The pie chart on cocaine trafficking by sea is new. It shows the drug to be primarily a North American problem which is fairly accurate of the cocaine trade overall, particularly when viewed in the context of the entire decade. Though paucity in data prevented earlier presentation of the maritime cocaine trade it can be confidently said that the current situation depicted represents a fair change from earlier decades, notably the 1920s through 1940s when the drug was relatively common in the Far East. Unfortunately, because the database ends with 1986 and it is only in the latter years (1986, 1987 and 1988) that cocaine shipments by sea to Europe have dramatically increased, the latter trend is not quantitatively represented. Undoubtedly, a similar assemblage of the data contained herein but inclusive of the later years will reflect some change in the percentages and rankings of states affected by the maritime cocaine trade indicative of the expansion of cocaine trafficking into Europe. Heroin is the other category worthy of specific note due to changes in the trade. As opposed to the pie chart presented for the 1970s the current one indicates a shift in the maritime trafficking of heroin to the Far East and southern Asia both in

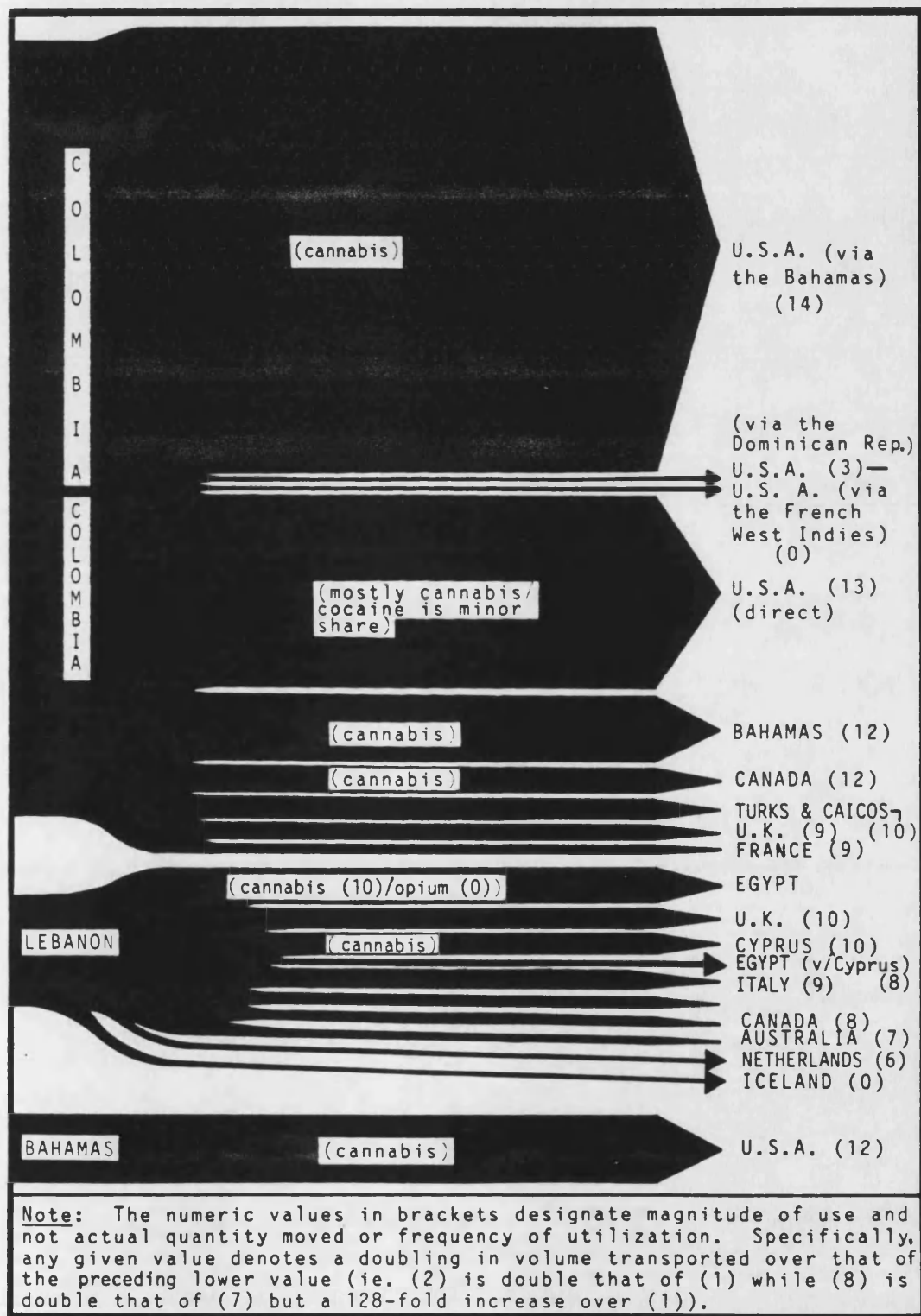
Figure 5.1 Principal States Effecting Maritime Drug Seizures By Drug Category.



percentage and actual quantity. This is not unexpected since the heroin scene underwent considerable change in the 1970s. The growth in maritime heroin routes now observed reflects the restructuring of the production and manufacturing matrix and the efficacy in enforcement efforts by states upon which those routes now impinge. As is seen in the pie chart the customary consumer states still appear in the upper rankings though not at the top. Because there is little in the past by which the pie charts on the psychotropic substances can be compared the only thing that can be said is that they tend to depict those states where the respective drugs are a problem or states which commonly serve as transit states. In regards to morphine and opium it is interesting to observe that the states depicted tend to be those where these drugs have been traditionally common. Though speculative, it is reasonable to presume that this represents the continuance on the local and regional levels of the trade in these substances while heroin is the preferred opiate on the global scale.

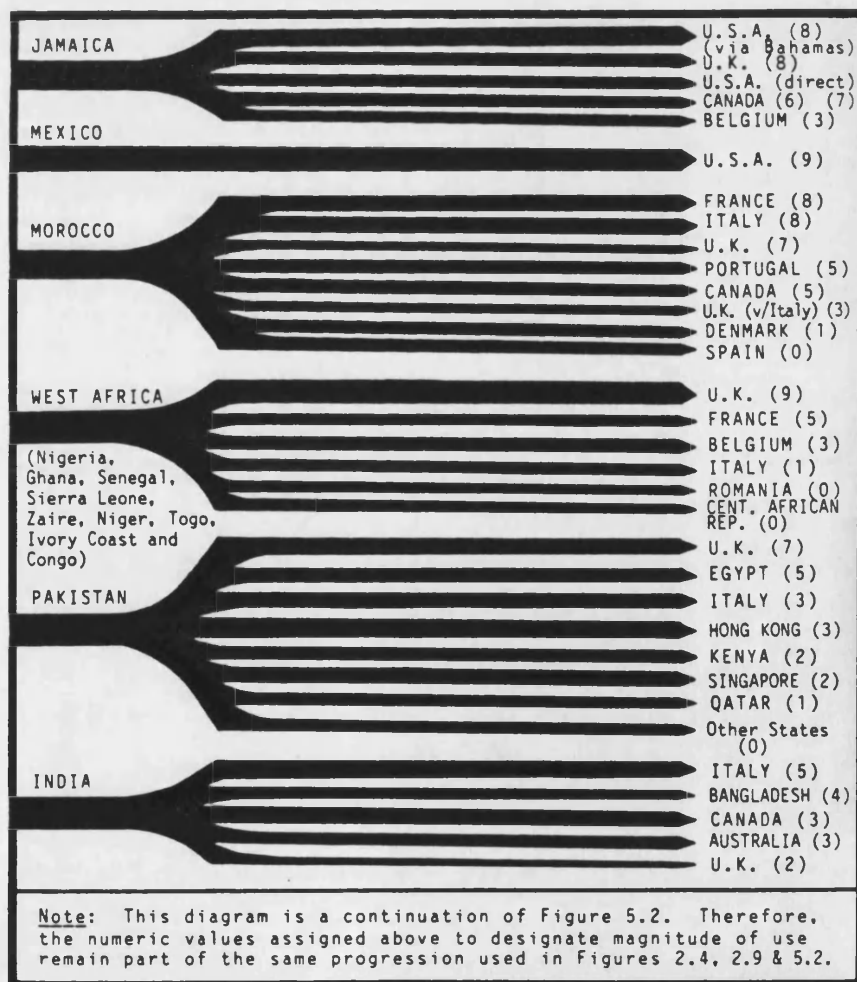
In volumetric terms, the export of illicit drugs from Colombia, Lebanon and the Bahamas occupy a position of unrivalled dominance. The outflow of drugs from these three states via the maritime medium has escalated dramatically in the 1980s. Cannabis is the principal product with Colombia and the Bahamas serving respectively as exporter and middleman for marijuana while Lebanon exports hashish. Analogous to Figure 2.9 presented earlier on the maritime trunk routes in operation in the 1970s Figure 5.2 depicts the parallel picture for the early 1980s. The sheer volume of the maritime drug trades of Colombia, Lebanon and the Bahamas combined with the constraints placed on graphic portrayal mean that only these three states can appear in the diagram. Consequently,

Figure 5.2 Principal Trunk Routes In The Maritime Drug Trade, 1980-83.



to balance the picture and more fairly depict the true situation Figure 5.3 is an addendum to Figure 5.2. Figure 5.3 depicts a number of trunk routes of lower but still significant orders of magnitude. These routes are ones that in terms of volume are below the top three, but which are relatively important in comparison to the past. To maintain the integrity of mensuration the scale used is the same as that used in Figure 5.2. As seen in Figure 5.3 export routes emanating from Jamaica, Mexico, Morocco, West Africa, India and Pakistan are also quite prolific

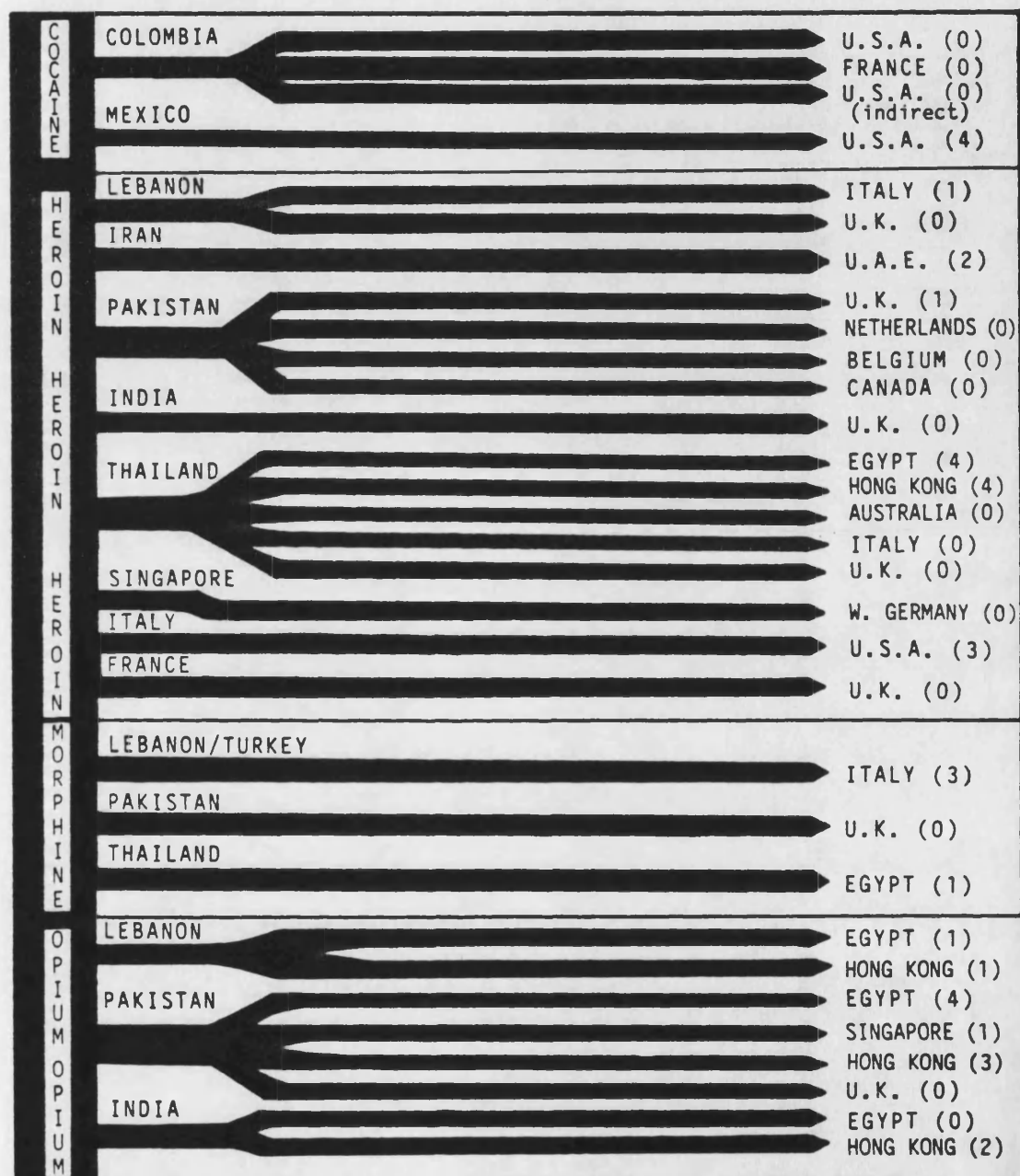
Figure 5.3 Other Major Trunk Routes In The Maritime Drug Trade, 1980-83.



and heavily used. However, the dominance of cannabis in the maritime drug trade obscures the significance of the other categories of drugs along the various routes depicted. To remove this suppression of data Figure 5.4 provides a flow analysis of the other drug categories exclusive of cannabis. Hence, the maritime trunk routes of cocaine, heroin, morphine and opium are identified. As may be expected, some of the principal producing and manufacturing states of the respective drugs serve as origin points. The psychotropic substances are excluded from this type of analysis because the number of confiscatures effected and quantities seized are too sporadic and diverse to form tenable conclusions. Based on a combination of intelligence data and extant seizure statistics it appears that there is a regular flow, albeit small, of amphetamines from the Netherlands to Iceland and the U.K. and from Denmark and West Germany to Norway and Sweden collectively. In regards to Japan the inflow of amphetamines and methylamphetamines by sea from other Far East states has been clearly established. Additionally, there appears to be a steady flow of methaqualone across the Atlantic Ocean from Europe to North America and from southern Europe to Egypt and the Arabian Peninsula as well as from India to the Arabian Peninsula and East Africa. A similar trend exclusive of the Indian component is observed with diazepam. However, in quantitative terms, the amounts shipped to the various destinations have been considerably less relative to methaqualone. Insufficient data exists to allow definitive elaboration on the other substances of the psychotropic category.

In regard to the types of vessels involved in the maritime drug trade the fairest maxim that may be offered is to say that virtually every conceivable type of craft has been or is being utilized. The dis-

Figure 5.4 Maritime Trunk Routes For Cocaine, Heroin And Other Opiates.



Note: The same numeric valuation scale used in Figures 2.4, 2.9, 5.2 and 5.3 is utilized here. The numeric values in brackets denote magnitude of use. However, because the quantities of drugs transported are considerably less, the numeric values are also low.

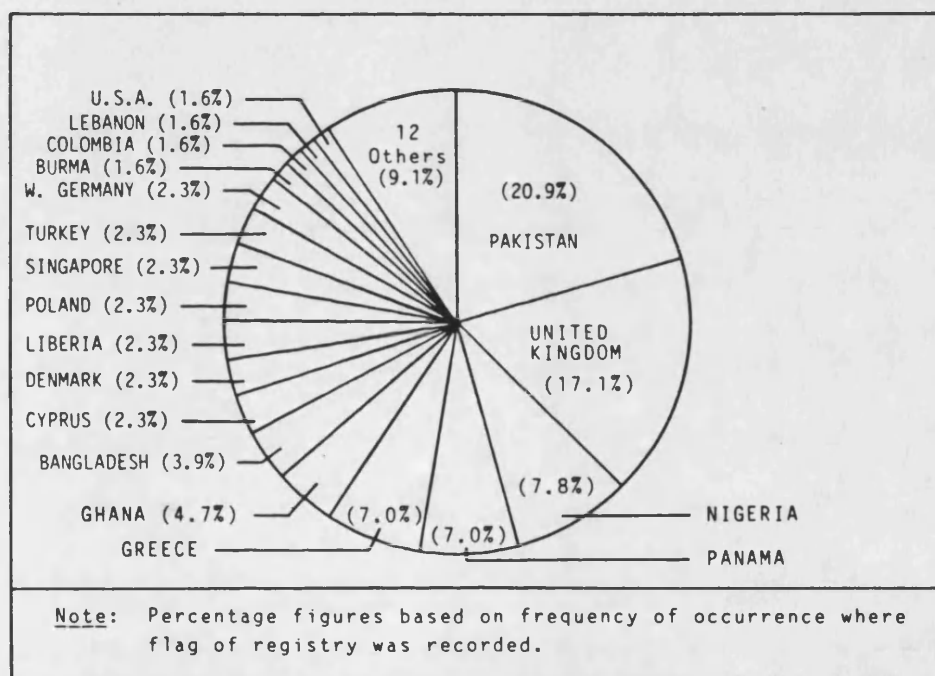
cussion in the preceding chapter elucidated to a reasonable extent on the bases for the transport modes used and methods of concealment and deception employed. To recap here, the majority of drug shipments concealed within commercial cargo consignments are generally carried in containers. This inherently means that containerships, RO-RO ships and break-bulk freighters modified for partial carriage of containers are the vessels commonly used. In the case of mothership operations the motherships are frequently old freighters, coastal steamers, offshore supply ships, shrimpers, trawlers and other vessels which typically range in length from 30 - 100 meters and in tonnage from 100 - 3,000 g.r.t. In many instances they have been bought with the proceeds of drug trafficking and registered under a flag-of-convenience. Alternatively, they may not show their true flag but a false one simply to dissuade suspicion or, in actuality, they may be stateless. In the case of the latter predicament it means they have not been properly registered. Though the common perception of the maritime industry today, particularly in the West, is one of regulations and stringent control the reality is far from so. The fact that the Western states do maintain relatively strict control over their registered fleets and international rule-making organizations like IMO exist does not mean the rest of the world follows suit nor that maritime commerce is a regulated matter. As was pointedly noted to the author in Greece by the Greek Coast Guard ships are easily bought and sold and the documentation altered.⁴ Though the shipping industry has experienced a slight improvement in recent years, there is still an extensive surplus of tonnage extant in the world today. This invariably means there are a number of desperate owners, lien and mortgage holders and brokers who will

not ask many questions in selling their vessels. Several of the vessels put into Lebanon's export trade in illicit drugs were previously idle tonnage acquired through ship brokerage firms in Piraeus.⁵ The small craft which rendez-vous with motherships are generally registered in the state to which they are landing the drugs or, in other cases, simply lack any registration. This is because the operators have ignored the registration requirements of a given state and municipality or their structural design precludes the need for registration. An example of the latter are the rubber inflated crafts known as zodiacs which may either be carried on the motherships or acquired locally in the state to which the drug consignments are destined by the conspirators on the receiving end of the trafficking operation. In some marine geographical areas ferries are the principal mode of conveyance. Consonant with the cultural and technological dichotomy extant in the world the classes of ferries used along given transport routes also vary. For example, the ferries between continental Europe and Scandinavia and the U.K. are sophisticated modern ships of several thousand tons which constitute a combination of passenger liner and RO-RO ship. Contrastingly, the ferries traversing the Mediterranean Sea between points in North Africa and southern Europe are smaller in size and many cannot carry vehicles. In the Middle East and Southeast Asia the ferries are, in many cases, quite rudimentary in design, accommodation and amenities and the term "rust-bucket" is often an applicable definition. On those trafficking routes where direct covert importation is the method employed the vessels used are generally small and often either a type of fishing vessel or pleasure craft. They vary in technological sophistication and design either constituting a "high-tech" powerboat or an old and rusting

trawler or a traditional craft of the region. Among the latter used are the dhow, junk and sampan. The dhow is commonly employed in the Arabian Sea and Persian Gulf while the latter two craft are frequently used in the Gulf of Thailand, South China Sea and adjoining water bodies. The use of powerboats has notably emerged in the waters around Florida in the U.S. where a specifically designed speedboat called the "Cigarette" has evolved. A generic term for elongated, deep-vee racing powerboats designed and built in the U.S. the "Cigarette" is being used by drug smugglers because of its ability to outrun all other types of vessels.⁶ The interesting aspect of this denouement is the resurrection of vessel design based on smuggling requirements. Analogous to the evolution of the fast clipper ships designed for the opium trade into China in the last century the same trend is reoccurring. The best evidence of the 'smuggler driven' designing of craft is the latest development in the U.S. where the US Customs Service has commissioned the designer of the cigarette boat to build a craft for them which can outrun and outperform the former. Called "Blue Thunder," these new vessels constitute the "state-of-the-art" in maritime counter-smuggling craft.⁷ However, if prior trends are something to go by then it is reasonable to presume that the drug smugglers will also acquire the latest craft. Alternatively, they may encourage development of something faster and better, either directly or indirectly. Because of the diversity in vessels used and techniques of deception employed it is difficult to define with any degree of precision the role of various flag states in the global drug trade. Further compounding the problem is that several states simply do not record the flag of registry of vessels implicated in or seized for drug trafficking. However, a reasonable attempt was

made by the DND in assembling their quarterly summaries on drug seizures in the early 1980s to collect information on the flag of registry of merchant ships found to be carrying illicit drugs. Based upon that data Figure 5.5 provides a fair projection of the degree of involvement of various flags of registry. To the extent that it may be accepted Figure

Figure 5.5 Principal Flag States Involved In Drug Trafficking, 1980-83.



5.5 indicates the continuance of the trends established in the 1970s (as seen in Figure 2.10). Both the involvement of a diverse number of states and the subdued role of the flags of convenience have been sustained. While there have been some losses and gains in the percentages of involvement the overall pattern of participation remains congruous to that observed in the 1970s. The only major changes have been the decline of the British ensign by nearly 40% and the dramatic

rise of the Pakistani flag nearly eight-fold. Otherwise, the majority of other flags depicted represent either a drug producing or consuming state, transit state, flag-of-convenience country, major cross-trading nation or, in some instances, a combination thereof.

5.2 Maritime Drug Trafficking In The O.E.C.D.

In this section the specific characteristics and dimensions of the maritime drug trade relevant to the coastal member states of O.E.C.D. are analysed. When examined collectively based on volume the flow pattern for these states is one of net importation. However, within this generalized overview anomalies and variations exist. For example, Turkey is almost exclusively a maritime exporter of illicit drugs. Denmark also appears to be more an exporter from the maritime perspective because most drugs enter the country overland or by air, but the portion which goes to Norway and Sweden usually goes by sea. In other cases, the state in question possess a dual role and appear to be maritime transit state. Though the inflow of drugs by sea clearly exceeds outflow there is either sufficient volume or constancy in occurrence to the export component to warrant labelling the state as a minor maritime exporter or transit state. Among the OECD states exhibiting this trend are Australia, Belgium, France, Italy, Japan, the Netherlands, Portugal, Spain, the U.K. and West Germany. However, because virtually all of that which is exported from these states goes on to another OECD state there is little alteration to the net importation picture of the OECD group collectively. Greece is the aberration in regards to the transit role because there is little physical landing of drugs within Greece. Instead, the drugs traverse the territorial waters of the country.

Consequently, while there has been, legally-speaking, territorial intrusion by which one can say Greece is a transit state there has not been actual terreal incursion. Together, the coastal member states of O.E.C.D. accounted for 94.9% of all maritime drug confiscatures in the world during the period 1980 - 1986. Table 5.4 provides a comparative analysis of individual drug seizures for the period 1982 - 1986. As one may deduce, the importation of illicit drugs to OECD states by sea adheres to the global trend with little variation.

Table 5.4 Maritime Drug Seizures Amongst The OECD States, 1982 - 1986.

Country	Cannabis	Cocaine	Heroin	Others	State Totals
Australia	15,715.5	0	42.0	T	15,757.5
Belgium	40,000.0	66.0	205.0	0	40,271.0
Canada	75,500.8	71.4	34.6	1,254.6	76,861.4
Denmark (m)	37.0	0	0	0	37.0
Finland	2.2	0	T	0.1	2.3
France	36,987.1	47.0	4.1	0	37,038.2
Greece	22,527.0	0	29.0	0	22,556.0
Iceland	19.6	0	0.2	0.5	20.3
Ireland	214.5	0	1.1	T	215.6
Italy	17,837.0	0.1	296.5	25.0	18,158.6
Japan *	N/A	0	0	512.7	512.7
Netherlands	64,306.0	59.0	269.0	0	64,634.0
New Zealand	36.7	0	0.6	0.5	37.8
Norway (m)	N/A	T	0	2.0	2.0
Portugal	10,536.0	0	0	0	10,536.0
Spain	48,129.0	203.0	0	0	48,332.0
Sweden	1,772.0	50.0	0.1	0.1	1,822.2
Turkey	247.4	0	0	0	247.4
U.K.	40,000.0	16.1	166.7	11.8	40,194.6
U.S.A.	9,935,926.8	35,501.6	210.2	6.6	9,971,645.2
W. Germany	12,035.0	71.3	41.6	0	12,147.9
OECD Drug Totals	10,321,829.6	36,085.5	1,300.7	1,813.9	10,361,029.7
Notes: (m) - Minimum figure T - Trace amounts of drugs found					
N/A - data not available * - 1986 drug data not included					
Source: Bundeskriminalamt, Drug Transports By Sea [Doc. EO11-2] (Wiesbaden, 1987), p. 7 as verified/modified by national drug reports of respective OECD states.					

5.2.1 The European Scene

Amongst the 16 European coastal states of O.E.C.D. more than 296.1 m.ts. of illicit drugs were seized from the maritime sector during the period 1982 - 1986. The European group accounted for 2.9% of all maritime drug seizures by volume within the OECD membership overall for that timeframe. Based on seizure cases more than 50% of all drugs bound for or moving within Europe when interdicted are being transported via the maritime medium. An analysis of the actual methods of carriage show that concealment within seafreight accounted for 53% of all maritime drug cases in the period 1982 - 1986.⁸ The participation of crew members in drug smuggling was the second most prevalent method accounting for an additional 21% while yachts were third accounting for 14%.⁹ Cannabis is the drug most extensively trafficked by sea into Europe. Of the two principal types of cannabis hashish is more frequently seized in Spain with Belgium, France, Greece and the Netherlands being other countries often effecting such confiscatures.¹⁰ Conversely, nearly 50% of all marijuana shipments are intercepted in the U.K. though the largest single seizure (26 m.ts.) was effected in Spain.¹¹ Of the total quantity of hashish seized in Europe in the period 1982 - 1986 72% of it was smuggled by sea.¹² For marijuana the figure is 98% with nearly all of it shipped in seafreight.¹³ Lebanon is the principal source of all hashish transported by sea to Europe. During the period noted, it accounted for 64.7% of the total amount.¹⁴ Morocco and Pakistan contributed a fair portion of the balance. Contrastingly, 61% of the marijuana imported to Europe by sea came from Colombia with Nigeria, Ghana and Jamaica providing most of the remainder.¹⁵ The transport picture for heroin is considerably different with the amounts confiscated

from the seaborne modes being relatively small compared to the amounts seized from the airborne and overland components. Italy, the Netherlands, Belgium and the U.K. are the principal countries effecting maritime seizures of heroin in significant quantities. Together, these four states accounted for 92.5% of all the heroin intercepted in the course of being imported by sea into Europe during the aforesaid period. Based on quantity seized; the larger heroin shipments originated from Afghanistan, Thailand and Pakistan; the latter figuring prominently in the number of interdictions by accounting for 66% of all such incidents.¹⁶ Most of the heroin shipments were concealed in freight. However, in terms of number of seizures, it is observed that 63% of all confiscatures involved crew members, particularly on ships arriving from Pakistan.¹⁷ Cocaine, like heroin, is generally concealed within freight consignments with minor amounts carried by crew members. Clandestine cocaine importation by sea is on the rise as evidenced by the landings effected in southwestern England and rise of the Azores as a mid-Atlantic transit point.¹⁸ The majority of it originates from Colombia. Based on quantities interdicted during the period 1982 -1986 Spain was the principal destination in Europe for maritime cocaine traffickers. It accounted for 39.6% of all maritime cocaine confiscatures in Europe. On a lower but still significant level West Germany, Belgium and the Netherlands also figured prominently as European destinations for cocaine smuggled by sea. Collectively, they accounted for an additional 38.3% of all maritime cocaine seizures in the above cited period. Because maritime drug seizures involving substances other than those just discussed are relatively minor, analysis of their confiscature is subsumed within the applicable country sections which now follow.

Moreover, because the format of analysis used so far diminishes detail, disallows the variations between states from being fully defined and would become confusingly complex if continued the objective is better served by shifting to an individual analysis of each coastal OECD state.

5.2.1.1 The Netherlands

In the period 1982 - 1986 the Netherlands seized the largest quantity of illicit drugs from the maritime sector of all the European states. Considering the role of the country as a transit state within Europe because of geographical factors and the prevailing socio-political climate this predicament is not unexpected. More than 64.6 m.ts. of drugs were confiscated which, in relation to the European grouping of coastal OECD states as a whole, accounted for 21.8% of the entire amount seized from the maritime sector. In comparison to the non-European OECD states the Netherlands ranked third overall in maritime seizures behind the North American contingent. In relation to the total amount of drugs seized within the Netherlands (159 m.ts.), the quantity confiscated from the maritime sector accounted by weight for 40.6% of the total. Cannabis was the predominant drug seized accounting by weight for 99.5% of all maritime drug confiscatures. Heroin followed with 0.4% and cocaine was third with 0.1%. Based on intelligence data for the years 1985 - 1988 cannabis importation by sea is split between hashish which accounts for about 70% of all cannabis seizures and marijuana which accounts for the remaining 30%.¹⁹ Pakistan is the source of 63% of the cannabis imported by sea while Lebanon and Morocco jointly account for another 40% and Nigeria is the source of the remaining 3%. Approximately 95% of all Pakistani hashish imported to the

Netherlands is smuggled by sea with about half of it shipped in containers and the other half transported clandestinely on vessels specifically acquired for drug trafficking. In conjunction with the Pakistani export trade in hashish it has been observed that Pakistani crew members on ships arriving from Pakistan are frequently involved. In these cases they are usually part of an elaborate trafficking organization and serving as transport agents. In regards to Lebanese hashish imported to the Netherlands the same percentages apply with 95% of that entering the country arriving by sea; half in containers and half shipped clandestinely. In addition to direct importation by sea from Pakistan and Lebanon a third hybrid route exists incorporating a combination of maritime and terreal transport modes. In this latter system drugs coming from Pakistan and Lebanon are transported by sea north through the Adriatic Sea to ports along the Italian-Yugoslav border area (Trieste, Koper, Ravinj and Rijeka).²⁰ From there they are transported overland through Europe into the Netherlands. For the portion of drugs shipped clandestinely, it has been observed that frequently the vessels involved, which are coming from the Mediterranean Sea and North Africa, set course out into the Atlantic Ocean and travel around the British Isles entering the North Sea from the northwest, thus avoiding the English Channel. Once in the North Sea they proceed southward to the Dutch coastal provinces of Friesland and Noord Holland where the drug cargoes are covertly landed. The vessels utilized are generally old coastal traders and small freighters which can be fairly labelled as "rust-buckets."²¹ In some instances the scenario just described transpires, but in variant form involving two vessels. The first vessel exports the drug load from the source area (ie. Lebanon, Pakistan, etc.)

to a predetermined rendez-vous point in the Mediterranean Sea where it is met by a second vessel which takes on the drug cargo and assumes the task of transporting it to the Netherlands.²² Lastly, in regards to cannabis, yachts do play a contributory role in the import side of the Dutch drug trade, but on a minor level.²³

In regard to heroin and cocaine little factual information exists on which to base definitive statements. Lumped together, maritime heroin seizures amount to the second highest figure amongst the coastal OECD group for the five-year period referenced earlier. In general, the tendency is for these drugs to enter the Netherlands by air or overland from neighbouring countries - a point well documented by the number of seizures effected in relation to these modes. However, of late there has been a noticeable change with a rise in incidences of large but single consignments of these drugs concealed within freight being landed in the Netherlands. In one case in 1986 heroin totalling 220 kgs. was found in Rotterdam concealed in raisins after being offloaded from a Soviet ship.²⁴ Subsequent investigation revealed that the heroin had originated in Afghanistan and travelled by road from Kabul through the U.S.S.R. to Riga where it was loaded onto the ship for carriage to Rotterdam. Because of such cases statistics on the modes of transport involved using volume as the measuring unit will indicate the maritime sector to be significant though it may not be in terms of occurrence. For example, the above cited seizure projects the role of the maritime sector in relation to heroin importation for the period 1982 - 1986 to be at least 81.8% based on weight. Yet, when compared to the number of seizures and other modes of transport utilized, the maritime role expressed in percent is considerably less. Based on seizure data there

are no other drugs of significance being imported to the Netherlands by sea. However, because of the country's role as a transit state there is a fairly constant albeit low-level export trade by sea in illicit drugs. The principal drugs involved are cannabis and stimulants, notably amphetamines. Unfortunately, the picture on amphetamines is somewhat vague. Considerable production within the country combined with high demand externally induces an outflow of amphetamines - though in quantitative terms the amounts are relatively minute. Resultantly, the maritime sector has gained a role in exporting this substance, particularly to those countries separated from the Netherlands by water like the U.K., Norway and Sweden. The ferries linking the Netherlands with nearby states have become important transport modes for drugs. To a lesser degree, yachts also play a role. For countries further afield like Iceland and Ireland commercial carriers and fishing vessels are utilized to export amphetamine from the Netherlands. The same scenario applies for cannabis exports, but with a little variation. Relative to maritime amphetamine exports the quantities of cannabis exported range between larger and massive. The size of the shipment and how it is transported usually depends on the nature of the trafficking operation involved. Smaller amounts often go by ferry carried in motor vehicles or within personal baggage. Medium to large consignments are concealed in containers conveyed either on lorries using ferries to make the crossings or on regional container ships, freighters and RO-RO ships. Though little is known of the maritime export of cocaine and heroin it is occurring. Seizures in the U.K. where the drugs came from the Netherlands validate the reality of the activity.

In summary, the Netherlands is both a major maritime importer and

minor exporter of illicit drugs. Its open borders with Belgium and West Germany and proximity to other European drug consumers enhances the dual role of the Netherlands. Furthermore, the important role of Rotterdam to world commerce and shipping assures an ample stream of vessels and diversity in routes by which illicit drugs may be imported to and exported from the Netherlands.

5.2.1.2 Spain

Comprehensive data on the maritime drug trade of Spain is lacking. This is the result of few statistics being kept until recently within Spain on the subject. Consequently, many of the points made here are qualitative assessments based on intelligence data, the findings of investigations and cases. Overall, Spain ranks second amongst the European OECD membership in maritime drug seizures. In the period 1982 - 1986 over 48.3 m.ts. of illicit drugs were confiscated from the maritime sector. In percentage terms, Spain accounted for 16.3% of the total quantity of drugs seized from the maritime sector amongst the European grouping of coastal OECD states. In comparison to the OECD membership as a whole Spain ranks fourth in maritime drug confiscatures for the period noted. In relation to the total amount of drugs confiscated (189.4 m.ts.) within Spain for the period referenced, the maritime sector accounts by weight for 25.5%. However, when the portion of drugs seized domestically which are deemed not to have been in the trafficking stage are discounted the figure rises dramatically to nearer 80%. Cannabis is the principal drug interdicted in the maritime sector accounting by weight for 99.7% of all maritime drug confiscatures. Compared to Europe as a whole Spain records the highest number of cannabis seizures.

Cocaine is the only other drug seized in noteworthy quantities from the maritime sector accounting for the remaining 0.3%. Hashish is the dominant form of cannabis imported by sea with most of it coming from Morocco and Lebanon. Much of the hashish originating from Morocco is transported directly on merchant ships concealed within freight and clandestinely on fishing vessels and yachts.²⁵ The use of yachts is particularly acute. When indirect routes are used the transit areas of prominence are Ceuta and the Balearic Islands. The importation of Lebanese hashish tends to be restricted more to the direct modes involving seafreight and clandestine landings on the Mediterranean coast based on mothership operations. The majority of marijuana seized is often of Colombian origin and shipped on commercial carriers concealed within cargo. The importation of cocaine by sea is more ominous. Though, of late, large seizures of cocaine are being effected in other European states the rise of the maritime cocaine trade to Europe first manifest itself in Spain. A trend analysis of quantities seized annually for the 1980s depicts a linear profile of steady growth. During the period 1982 - 1986 Spain seized the largest amount of cocaine from the maritime sector of all the European OECD states. Spanish cocaine seizures accounted for 43.9% of the total quantity of cocaine confiscated from the maritime sector by the European group as a whole. Nearly all of the cocaine imported by sea comes from Colombia. Usually, it is either in the form of cocaine HCl or in the forms of coca base and paste and concealed in cargo carried on commercial carriers.²⁶ Consequently, most of the cocaine enters Spain through a major seaport. A result of improvements in data gathering and statistical compilation in the mid-1980s is the availability of data on the types of vessels involved in Spanish drug

importations. Table 5.5 depicts the involvement of various classes of vessels during the years 1984 - 1986 based on frequency of utilization as established in seizure investigations.

Table 5.5 Vessel Involvement In Spanish Drug Importations, 1984 - 1986.

Class of Vessel	Percentage of Use
Yachts/Pleasure craft	20%
Launches (Motor)	20%
Motorboats	15%
Merchant Ships	35%
Fishing Vessels	5%
Other Craft	5%
Source: Data specifically prepared for author by Secretaria General Tecnica of the Ministerio Del Interior (Madrid, 18 May 1987).	

5.2.1.3 Belgium

Belgium is another state wherein full data on the modes of transport utilized in drug trafficking is not kept. Relative to the other European OECD states Belgium ranks third in maritime drug seizures. For the period 1982 - 1986 more than 40.2 m.ts. of illicit drugs were intercepted in the maritime sector. In percentage terms Belgium accounted for 13.6% of the total quantity of drugs seized from the maritime sector by the European grouping of coastal OECD states. Relative to the OECD group as a whole Belgium ranked fifth overall. In relation to the total amount of drugs confiscated within Belgian territory (55.2 m.ts.) during the above cited period, the maritime sector accounted by weight for 73%. However, when the portion of drugs seized domestically which is deemed not to have been in the trafficking stage is discounted, the figure then rises to 81.2%. The basis for the high

volume of drug trafficking into Belgium is because the country, like the Netherlands, functions as a transit state. Cannabis is the principal drug confiscated from the maritime sector accounting by weight for 99.3% of all maritime drug seizures. Heroin is second accounting for 0.5% and cocaine is third with 0.2%. Though quantitative data is lacking hashish appears to be the predominant type of cannabis imported by sea. Based on 1985 data only, hashish accounted for 97.1% of all maritime cannabis importations.²⁷ Lebanon is the principal source of hashish imported by sea to Belgium while India is a secondary source. Cyprus often serves as a trans-shipment site for Lebanese hashish shipments *en route* to Belgium. Marijuana accounts for the remaining 2.9% of all maritime cannabis importations based on the same 1985 data.²⁸ Zaire is the principal source of marijuana imported by sea to Belgium. While Zaire is not known as a major exporter of illicit drugs, the fact that Belgium was the colonial overlord and still maintains a special trade relationship with its former colony nurtures the utilization of the shipping link for drug trafficking. This aspect is significant for two reasons. Imprimis, the generally close relationship between mother country and colony in the post-colonial period explains the bases behind certain organizational and structural elements of the maritime drug trade - in other words, why. Secondly, it is a trafficking pattern that is repeated elsewhere though involving different states. Little is truly known regarding the maritime importation of heroin and cocaine to Belgium aside from the fact it occurs. These drugs are generally imported by motor vehicle via overland routes and by air. In the period 1982 - 1986 Belgium ranked third in Europe and fourth overall amongst the OECD group in effecting maritime heroin seizures. Statistically, Thailand

appears to be an important origin point for heroin brought by ship into Belgium though the validity of this finding in actuality is unknown. The cocaine interdicted in the maritime sector usually arrives on merchant ships coming from South America.

Containers are the preferred method of concealment. Antwerp is the site of nearly all maritime seizures effected in Belgium. Moreover, Antwerp appears to be the main importation point in Europe for cannabis shipped by sea from Lebanon while the Netherlands serves as the main distribution centre.²⁹ Consequently, much of that entering Belgium by sea is destined for the Netherlands and transported to there by overland modes of conveyance. Zeebrugge, Oostende and Gand effect minute maritime seizures of drugs. Turning to the maritime export dimension of Belgian drug trafficking little is known about it aside from the fact that it occurs. Compared to the maritime import dimension, it is small. Similar to the Netherlands, it is observed that the ferries linking Belgium with the U.K. and regional commercial carriers play a role. Cannabis is the drug commonly exported, but quantities of cocaine, heroin and amphetamine are also frequently shipped abroad.

5.2.1.4 The United Kingdom

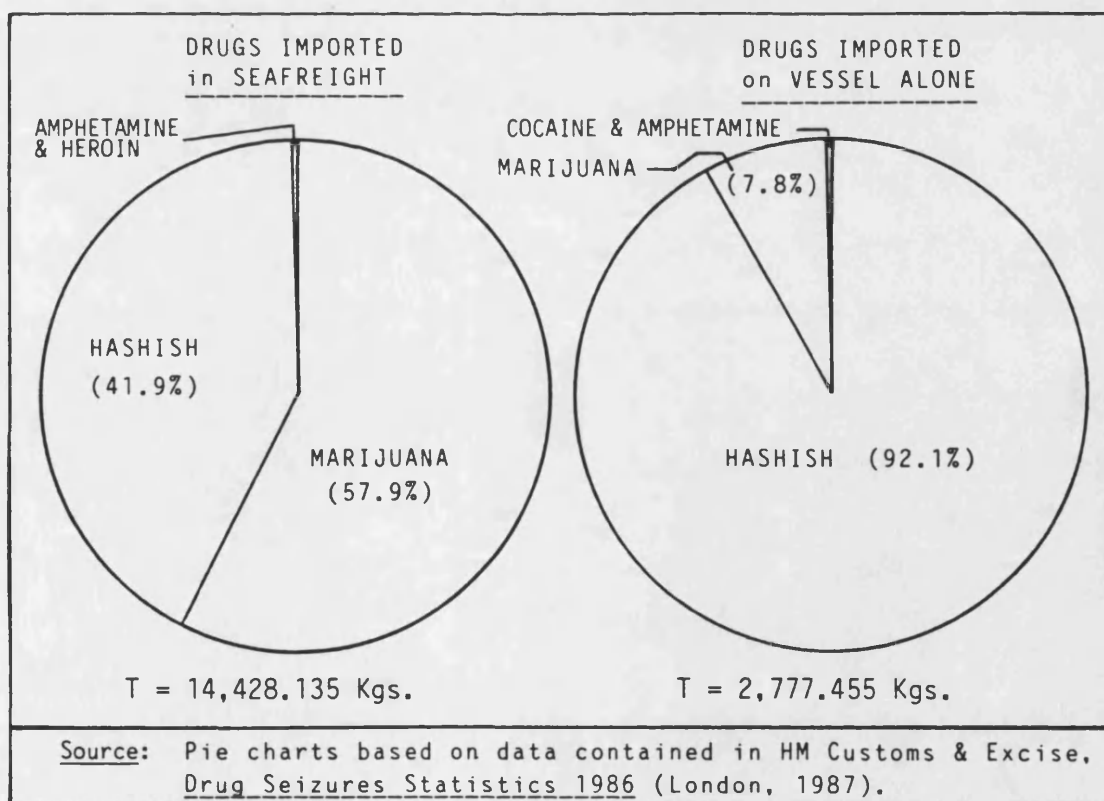
The U.K. ranks fourth in maritime drug seizures among the European OECD states and sixth overall in the OECD group based on data for the period 1982 - 1986. During that period over 40.1 m.ts. of illicit drugs were intercepted in the maritime sector. In percentage terms the U.K. accounted for 13.6% of the total quantity of drugs seized from the maritime sector amongst the European group of coastal OECD states. In relation to the total amount of drugs seized in the U.K. (24.8 m.ts.) in

1986 alone, the maritime sector accounted by weight for 69.3%.³⁰ However, when the portion of seized drugs not taken at the frontier is discounted that figure rises to 75.2%. Cannabis is the principal drug confiscated from the maritime sector accounting by weight for 99.5% of all maritime drug seizures. Heroin is second with 0.4%, cocaine ranks third with 0.04% and amphetamines are last at 0.02%. Hashish is the more common of the two types of cannabis seized. Based on 1986 data only hashish accounted for 50.1% by volume of all maritime cannabis confiscatures.³¹ Much of the hashish imported by sea comes from Lebanon, Morocco and the Golden Crescent either directly or via transit states. Marijuana, on the other hand, shows a wider diversity in maritime routes of importation with Nigeria and Ghana serving as prominent origin points along with Colombia and Jamaica. The comment made earlier in the Belgian section concerning the positive correlation between post-colonial relationships and organizational structure apropos select trafficking routes applies here as well. Aside from Colombia, the other states are all former British colonies with which the U.K. maintains special trade relationships. Much of the heroin seized in the maritime sector comes from Pakistan while Colombia is the origin point for most of the cocaine. Smaller amounts of these two drugs along with amphetamine also enter the U.K. by ferry and RO-RO ship from Belgium, France and the Netherlands.

A breakdown of 1986 data on the volume of illicit drugs interdicted in the maritime sector reveals that 83.9% of all drugs were disguised as freight or concealed within it while the remaining 16.1% was simply carried on the vessel within whatever stowage space was decided upon.³² Further analysis reveals that cannabis is the dominant drug

conveyed via both shipment methods with virtually equal percentages, thus indicating there is little emphasis placed on how a particular category of drug is to be trafficked by sea once the transportation mode has been selected. Figure 5.6 presents a pie chart analysis of the maritime methods of shipment. The one notable difference between the two maritime methods of shipment centers on the quantities of marijuana and hashish transported. The majority of cannabis shipped either concealed in or disguised as cargo is marijuana though the ratio is barely 60:40. Contrastingly, the preponderance of cannabis transported undisguised onboard vessels is hashish by a margin of 11 to 1. Considering

Figure 5.6 Analyses Of British Drug Importations By Method of Shipment.



that most of the cannabis (89.1% by weight) conveyed via the latter method of shipment is carried on small craft like fishing vessels and yachts, this is not surprising. Because these vessels are small and limited in range and durability it is only to be expected that when utilized they will voyage to the nearer sources of cannabis. Relative to the U.K. this means the hashish production areas like Morocco and Lebanon and, to a lesser degree, cannabis transit states like Cyprus, Portugal, Spain, Belgium and the Netherlands. Where the drugs are disguised as legitimate freight or concealed within other cargo onboard a commercial carrier they generally land at a major British port. Dover, Felixstowe, Liverpool and Southampton are often the sites of seizures of drugs hidden in freight. Where the drugs are imported clandestinely, the landing sites usually involve isolated coastal areas and quiet rivers in western England and Wales. Secondary sites used for clandestine importations include the coastal areas and small rivers found in southern England abutting the English Channel and North Sea. *Vis-a-vis* the latter, it is usually pleasure craft coming from the European continent or which have met a mothership offshore that are landing the drugs. Coastal areas and rivers which have actually seen such landings include Aberbach Beach near Fishguard in Dyfed, Wales, Beachy Head in Sussex, the Kent coast and the River Crouch in Essex.

5.2.1.5 France

France ranks fifth in maritime drug seizures among the European OECD states and seventh overall in the OECD group based on data for the period 1982 - 1986. More than 37 m.ts. of illicit drugs were confiscated from the maritime sector during that period. In percentage terms

France accounted for 12.5% of the total quantity of drugs confiscated from the maritime sector amongst the European group of coastal OECD countries. In relation to the total amount of drugs seized within France (104.7 m.ts.) in the above cited period, the maritime sector accounted by weight for 35.4%. When the portion of seized drugs not intercepted crossing the frontier is deducted the figure rises to 40.2%. Cannabis was the principal drug confiscated from the maritime sector, accounting by weight for 99.86% of all maritime drug seizures. Cocaine ranked a distant second with 0.13% and the quantities of heroin seized added up to a fraction of a percent. Based on quantity seized hashish accounted for over 87.4% of all cannabis intercepted in the maritime sector; of which 99.8% of it was in the form of resin while the other 0.2% was liquid hashish.³³ Most of the hashish imported by sea comes from Lebanon and Morocco with Nepal being the origin for a minority share transhipped via India. The remaining 12.6% of all cannabis confiscated from the maritime sector is marijuana. Colombia is the principal country of origin while Nigeria is a secondary source. Table 5.6 lists the sources of cannabis imported to France via the maritime medium and their shares of contribution. *Vis-a-vis* maritime cocaine imports,

Table 5.6 Sources Of Cannabis Smuggled By Sea To France, 1981 - 1986.

Country	Percent Share
Lebanon	52.8%
Morocco	35.6%
Colombia	7.6%
Nepal	3.0%
Nigeria	1.0%
<u>Source: La Douane Francaise, Saisies De Stupefiants</u>	
<u>Achemines Par La Voie Maritime De 1981 A 1987 (Au 31</u>	
<u>Aout) (Paris, 1987), Tables for years 1981 - 1987.</u>	

Colombia is the principal source country while India, Lebanon and Syria serve as the origin points for heroin confiscated from the maritime sector.

Of Frances's three littoral zones, by far, the heaviest incidence and volume of maritime drug importation occurs along its Mediterranean coastline. Referred to as the Littoral Mediterranee by the French Customs service this coastal zone accounts by weight for 80.7% of all maritime drug interceptions.³⁴ Within the Littoral Mediterranee the coastal area with the highest incidence of maritime drug smuggling is the area around Nice and Cote-d'Azur, called Les Alpes-Maritimes. The basis for the high level of drug trafficking is the high volume of yacht traffic in the area. Within a coastal zone of 100 kms. in length there are more than 20 ports and local vessel registries show about 15,000 vessels registered therein.³⁵ Further contributing to the maritime drug trade in Les Alpes-Maritimes is the constant presence but fluctuating population of foreign vessels calling therein such that a dynamic state of flux exists which overwhelms attempts of complete regulation.³⁶ Yachts, fishing vessels and coastal traders are the principal transport modes used in smuggling. In registering their vessels drug traffickers commonly employ flags of convenience.³⁷ In regards to the involvement of commercial carriers Marseille is the major seaport where such ships are often found to be carrying drug consignments onboard.³⁸ Called the Littoral Atlantique, the western coastline of France abutting the Bay of Biscay records the second highest volume of maritime drug trafficking accounting by weight for 15.7% of all maritime drug seizures.³⁹ The French coastline abutting the English Channel and North Sea, called Littoral Manche/Mer du Nord, effects the remaining 3.6% of maritime drug

seizures. In both the Littoral Atlantique and Littoral Manche/Mer du Nord some of the interdictions involve vessels not bound for France, but which are transiting the territorial sea *en route* to northern Europe, notably the Netherlands.⁴⁰

In terms of transport modes employed and methods of shipment utilized, it appears that most of the drugs imported by sea, the majority of which is cannabis, are imported on small and old vessels which land the consignments clandestinely. There are three reasons for this: *imprimis*, small vessels can approach the coast of France more easily and hide among the many legitimate vessels present in a given area and port; secondly, small vessels are preferred by the traffickers because they can carry large drug consignments with relatively few people involved (small crew) thus reducing the risk of betrayal and detection; and thirdly, old vessels which in some cases are nothing more than "rust-buckets" are cheaper to acquire thus making the loss of the vessel through confiscature less significant.⁴¹ Frequently, to actually land the drug loads on the shore inflatable rubber crafts and zodiacs are utilized.

France is also a minor exporter of drugs by sea. Though quantitative data is scarce it is known that most of the drugs exported by sea go to the U.K. As in the case of Belgium and the Netherlands the cross-channel ferries and regional RO-RO ships play a prominent role. Cannabis is the primary drug exported, but quantities of cocaine and heroin are also shipped via these modes. Occasionally, amphetamines and minute quantities of various psychotropic substances are also transported this way.

5.2.1.6 Greece

Greece is another state where quantitative data is somewhat lacking thus necessitating a more descriptive analysis. Relative to the other European OECD states Greece ranks sixth in maritime drug seizures and eighth overall in the OECD group based on data for the period 1982 - 1986. Over 22.5 m.ts. of illicit drugs were intercepted in the maritime sector during that period. Expressed in percentage terms, Greece accounted for 7.6% of the total quantity of drugs confiscated from the maritime sector amongst the European group of coastal OECD states. In relation to the total quantity of drugs seized within Greek territory (23.2 m.ts.) in 1987 alone, the maritime sector accounted by weight for 97.9%.⁴² Cannabis, solely in the form of Lebanese hashish, is the principal drug interdicted in the maritime sector. It accounted by weight for 99.9% of all maritime drug seizures in the period referenced above. Heroin accounted for the remaining 0.1%. When intercepted, the hashish seized was in the process of being exported from Lebanon, either directly or indirectly via Syrian and Turkish ports, to points in Western Europe and North America. At this juncture, technical clarification is required of Greece's role. Greece is a transit state, but in a unique way contrary to the ordinary definition of the term. The geographical character of the Greek archipelago combined with the country's territorial proximity to Lebanon, Syria and Turkey ensures that maritime drug smugglers traverse Greek waters. Consequently, when drug-laden vessels are interdicted, the seizures technically occur offshore in the territorial sea. Therefore, Greece is not a transit state in the true physical sense because rarely do the drug consignments actually land on Greek soil and then be transhipped. It must be pointed

out that in relation to heroin this scenario does not fully apply.

Most of the vessels involved are old freighters and coastal traders usually 20 years old or older acquired in Piraeus from idle tonnage for the express purpose of drug trafficking.⁴³ Many of them justly fall into the category of "rust-bucket." Because of lax regulation on all levels ships are easily bought and sold in Piraeus and the documentation changed without problem. Generally, the vessels are registered under a flag-of-convenience. Among the flags of registry often utilized are those of Honduras, Panama, Sri Lanka and St. Vincent and the Grenadines.⁴⁴ Typically, the size of the drug shipment is large and there is no real attempt to conceal the load. Usually, it is stowed either in containers or in some other contained form within the holds of the vessels. There are no manifests except where the drug consignments are concealed within other legitimate cargoes. Then the manifests show the legitimate cargoes as the sole contents of the vessels' loads. To minimize the chances of interception, the drug-laden vessels either traverse shipping lanes less used or create their own routes through desolate (unpatrolled) water areas. Additionally, the vessels' appearances are made to look sufficiently innocuous and typical such that no interest is generated in their presence by distant observers. Many of these vessels serve as motherships. Hence, they either carry their drug cargoes to the coastal waters off the state to which the drugs are destined or transport the drug shipments only so far into the Mediterranean Sea where they rendez-vous with other vessels which then convey the drug loads the rest of the way. One maritime area frequently used for the latter form of trans-shipment is the southern half of the Ionian Sea between Sicily and Peloponessus.⁴⁵ Typically, the motherships

leave Lebanon and sail westwards giving a wide berth to Crete by going close to Libya and then turning north-northwest into the Ionian Sea. Upon arrival at pre-determined coordinates fishing vessels, yachts and other types of pleasure craft rendez-vous with the motherships to obtain their drug consignments.⁴⁶ Though the Canadians described the Greek archipelago as a "trafficker's paradise and an obstacle to enforcement when trying to detect vessel traffic" in their 1983 drug report⁴⁷ the reality of the trafficking situation in the Greek islands does not substantiate this contention. While the geographical assessment upon which they founded their proposition is indeed valid, the actual level of activity transpiring, both then and now, does not corroborate the maxim that maritime drug trafficking is rife in the Greek islands. There is small and rather constant importation of hashish and heroin by local ferries to several of the islands from Turkey.⁴⁸ Additionally, yachts and other pleasure craft engaged in inter-island touring shuttle minute quantities of drugs around. However, virtually all of this low-level drug trafficking is driven by the tourist demand for such substances. Islands notably found to be involved include Corfu, Crete and Rhodes.

Besides its transit role, Greece is also a minor exporter of illicit drugs by sea. The Greco-Italian ferry link across the Strait of Otranto provides a regular conduit by which drugs may be sent to Italy and onward into Europe. Though little is known regarding its utilization by drug traffickers it is presumed that most of the quantities transported this way are either hidden in personal luggage or concealed within freight carried on lorries. The following section on Italy elaborates further on the Greco-Italian maritime conduit in relation to heroin smuggling.

5.2.1.7 Italy

Italy's unique geographical position ensures that the maritime sector plays a significant role in satisfying the country's internal demand for illicit drugs. However, more important is the fact that Italy serves as a direct link for seaborne shipments coming from the Middle East and bound for other points in western Europe and North America. Its "coastline is dotted with numerous ports and fishing villages which create obstacles" for the Italian authorities in their "attempts to effectively register and control the flow of local and foreign vessels."⁴⁹ The position of Sardinia and Sicily relative to select source areas for drugs and astride the trans-Mediterranean drug route emanating from Lebanon further attracts drug trafficking enterprises. The historical dimension concerning the involvement of Italian criminal groups in nefarious activities serves only to enhance the country's vulnerability to drug-related operations. Based on data for the period 1982 - 1986, Italy ranks seventh in maritime drug seizures among the European OECD states and ninth overall in the OECD group. More than 18.1 m.ts. of illicit drugs were confiscated from the maritime sector during that period. In percentage terms, Italy accounted for 6.1% of the total quantity of drugs seized from the maritime sector amongst the European group of coastal OECD states. In relation to the total quantity of drugs seized within Italian territory (1.8 m.ts.) in 1985 alone, the maritime sector accounted by weight for 21.6%. However, when the portion of seized drugs not intercepted in the process of crossing the frontier are discounted the figure rises to 43.1% and for hashish alone the figure rises to 70.6%.⁵⁰ As just indicated, cannabis is the principal drug imported by sea to Italy. In the period cited it accounted

by weight for 98.2% of all maritime drug confiscatures. Because of poor records only 1985 data was available at the time this thesis was prepared on which to base the following quantitative assessment. However, the findings described are deemed applicable for the mid-1980s as a whole based on qualitative intelligence data. Hashish accounted by weight for 99.8% of all maritime cannabis seizures in 1985 with the remaining 0.2% being marijuana.⁵¹ The majority of hashish imported by sea and bound for the Italian market comes from Morocco, either directly or via Tunisia. Lebanon and Syria serve as secondary origin points for hashish destined for Italy while India is a tertiary source area. However, because of Italy's geographical position, large quantities of Lebanese hashish are interdicted within the country which in actuality are destined elsewhere. For example, 3,180 kgs. of hashish were seized in December 1984 while *en route* from Lebanon to Montreal, Canada via Italy.⁵² On cursory examination the maritime seizure figures for heroin imply that the maritime sector plays a rather insignificant role. However, the reality surrounding the heroin trade indicates otherwise. *Imprimis*, expressed as a percentage of the entire quantity of drugs seized from the maritime sector in the five-year period referenced heroin accounted by weight for 1.6%. In ratio terms, this figure is the highest among all 21 of the coastal OECD states. Secondly, in real terms the amount of heroin confiscated from the maritime sector is again the highest amongst the entire OECD group with 296.5 kgs. taken in the aforementioned period. Thirdly, qualitative information derived from intelligence operations and investigations conducted by the authorities corroborates this proposition. Much of the heroin imported by sea to Italy comes from Lebanon, Iran and Turkey, either directly or

indirectly. Where indirect, Cyprus, Greece, Syria and, *vis-a-vis* Iranian heroin, Turkey are the transit states. An investigation into heroin trafficking involving diplomatic personnel in 1986 uncovered a smuggling operation wherein Syrian diplomats were utilizing their diplomatic privileges to carry heroin to Italy by ferry from Greece.⁵³ Over the span of half a year in late 1985 and early 1986 a few hundred kilograms of heroin were imported via this smuggling operation.⁵⁴ Though this particular heroin enterprise met its demise one may confidently presume that several others existed and that the void was quickly filled. As far as the other categories of drugs like cocaine, morphine and opium are concerned the small amounts seized in the mid-1980s from the maritime sector suggests that they are imported by non-marine modes of transport. The former maritime morphine and opium trades of the 1930s through early 1970s appear to have died though 25 kgs. of morphine were confiscated from the maritime sector in 1983. An analysis of morphine and opium seizures overall in Italy (See Table 3.17) indicates that their use has waned considerably.

5.2.1.8 The Federal Republic of Germany

West Germany ranks eighth in maritime drug seizures among the European OECD states and tenth overall in the OECD group. For the period 1982 - 1986 over 12.1 m.ts. of illicit drugs were seized in the maritime sector. In percentage terms, West Germany accounted for 4.1% of the total quantity of drugs confiscated from the maritime sector amongst the European coastal states of O.E.C.D. during the period referenced. In relation to the total quantity of drugs seized within the country (29.5 m.ts.) during the period noted, the maritime sector

accounted by weight for 41.1%. No correction figure is available for the portion of drugs shipped by sea and intercepted crossing the frontier. Cannabis is the principal drug imported by sea with Lebanon and Morocco being the primary source countries. For the five-year period referenced it accounted by weight for 99.1% of all maritime drug seizures. Because the pertinent records and statistics are not being kept no categorical analysis regarding the ratio of the types of cannabis imported by sea nor their origins can be offered. It must, however, be recognized that a fair portion of the drugs interdicted crossing the land border were at some stage previously transported by sea into Europe. Hence, the maritime sector plays a more important role than the percentage figure above (41.1%) indicates. Cocaine ranks a distant second in maritime drug seizures by weight with a 0.6% share and heroin is third with a 0.3% share. Typically, the cocaine imported by sea comes from Colombia, either directly or via a transit state. Most of the heroin imported by sea comes from Pakistan. The principal method of shipment involves concealing the drug consignments within freight or disguising them as freight which is packed within containers. Consequently, containerships and break-bulk freighters modified for partial container carriage are the vessels frequently involved. Because commercial shipping is the primary method utilized by the smugglers it commensurately means that major seaports in the country are the landing sites. Based on seizure incidences Hamburg and Bremen appear to be the principal ports of entry for illicit drugs imported by sea. The degree of riverine drug trafficking on the Elbe and Weser Rivers above these two ports is not known.

In addition to the import trade in drugs by sea there also exists

a minor export trade in drugs by sea. Like Belgium and the Netherlands, West Germany sees a frequent outflow of narcotic and psychotropic substances by sea to other regional states but predominantly the Scandinavian countries. The amounts involved range between infinitesimal to small and are usually carried on ferries linking West Germany with Finland, Norway and Sweden. Among the ports involved are Kiel, Puttgarden and Travemunde. In addition to the narcotic drugs commonly transported by sea minute but noteworthy amounts of amphetamines and LSD are exported by ferry. Generally, all drugs are concealed within personal luggage or within motor vehicles. In the summer season pleasure craft become involved in the export of drugs to Scandinavia. Usually, the drugs are intended for personal consumption by the crafts' operators while vacationing. Regional shipping also plays a minor role in exporting drugs from West Germany, but little is known about it.

5.2.1.9 Portugal

Portugal functions more as a maritime transit state for drugs destined elsewhere in Europe. The country ranks ninth in maritime drug seizures among the European OECD states and eleventh overall in the OECD group. More than 10.5 m.ts. of illicit drugs were seized from the maritime sector in the period 1982 - 1986. In percentage terms, Portugal accounted for 3.6% of the total quantity of drugs intercepted in the maritime sector amongst the European coastal states of O.E.C.D. In relation to the total quantity of drugs seized within the country (17.1 m.ts.) exclusive of the Azores and Madeira for the period specified, the maritime sector accounted by weight for 61.5%. If the portion of confiscated drugs deemed not to have been in the trafficking stage or crossing

the frontier is discounted the figure rises between 3 - 8%. Lack of data prohibits a more precise figure being offered. Cannabis accounted for the entire quantity of drugs imported by sea to Portugal in the timeframe referenced. Nearly all of it was in the form of hashish. As far as is known cocaine and heroin are imported by air and overland from Spain. However, the Portuguese territory of the Azores appears to be an emerging transit point for illicit drug consignments shipped on yachts from South America to Europe.⁵⁵ Morocco is the principal supplier of the hashish smuggled into Portugal by sea while Lebanon serves as a secondary source. Pakistan and India serve as tertiary origin points for Afghani hashish which is transhipped through them before being shipped by sea to Portugal. The majority of cannabis imported by sea is conveyed on motherships which offload their drug cargoes to fast speed-boats on the high seas. These craft in turn transport the drug loads to desolate coastal sites along the Algarve coast.⁵⁶ This method of conveyance accounts by volume for 65% +/-5% of the maritime cannabis trade into Portugal.⁵⁷ The individuals involved are nearly always part of an organized smuggling group, either of independent status or part of a vast overlying network supported by criminal enterprise. The balance (35% +/-5%) of the maritime cannabis trade into Portugal is structured around clandestine importations by fishing vessels and yachts which land their drug cargoes covertly at night along the Algarve coast either on beaches, in secluded coves or in the ports of small coastal communities. Fisherman, in particular, will import hashish hidden under their fish loads.⁵⁸ The size of the drug consignments landed along the Algarve varies in size from a few hundred kilograms to multi-ton shipments. An example of the latter is the June 1987 seizure of 4 tons of Afghani

hashish by the Policia Judiciaria.⁵⁹ In addition to the Algarve coast, the western coast of Portugal extending from Sagres to Vigo is frequently utilized for clandestine drug importations. Contrary to the situation in the Algarve the shipment size in these landings usually ranges between 50 - 100 kgs. per load.⁶⁰ Furthermore, the method of importation is generally based on fishing vessels making direct voyages from Morocco to Portugal and covertly landing their drug loads themselves. Mothership operations along this part of Portugal's coast are rare. A result of this predilection on the part of the smugglers towards clandestine importations means the role of commercial carriers in Portugal's drug trade appears to be less. In terms of destination, most of the cannabis entering Portugal and transhipped onwards is bound for central and northern Europe. The extent to which the maritime sector plays a role in the export of drugs from Portugal is unknown aside from the fact that it occurs. Presumably, the maritime export of drugs is more diversified with both commercial carriers and the clandestine vessel operators engaged in such activity.

5.2.1.10 Turkey

The quantity of drugs reported confiscated from the maritime sector by the Turkish authorities for the period 1982 - 1986 is not indicative of the actual maritime trade in illicit drugs. However, when put in proper perspective the figure, though low, is not that surprising. In contrast to the other OECD states Turkey is solely a maritime exporter of drugs. The majority of drugs exported are produced either in Iran or Lebanon. On a minor level illicit production and manufacturing occurs within the country itself. Therefore, Turkey is predominantly a

transit state and the flow of drugs is outwards. This situation poses an inverse problem in drug control for the relevant law enforcement agencies concerned. The dilemma is not one of protecting the maritime frontier from the territorial intrusion of undesirable products and influences, but one of preventing these elements from escaping. Because the various agencies responsible for frontier security are geared towards importation control and have their hands full with a number of other tasks under their purview unrelated to drugs it is natural for there to be a diminished success rate in interdicting drugs exported by sea. To be fair on this point, it must be observed that this predicament is not unique to Turkey but applies to all states. However, having made these comments it should not be construed that this in any way excuses the Turkish authorities from their poor performance in drug interdiction. Their efforts may be described as ranging between dedicated but ineffective at best to outright lacklustre in negative terms. One additional aspect hampering the entire law enforcement effort is the collective notion yet extant in Turkey not to be concerned about illicit activities and injurious substances which domestically have a benign to positive economic effect on portions of the indigenous population but which pose serious social problems elsewhere. Unfortunately, this type of socio-cultural malaise is an inherent characteristic of human behaviour which manifests itself whenever given the opportunity. An historical analysis of Turkey's attitude towards opiates over the past one hundred years attests to the validity of this observation.

Because of poor data and uncertainty in the figures presented by the authorities little in the way of a quantitative analysis can be offered regarding Turkey's maritime drug trade. According to the data ob-

tained for the years 1982 - 1986 only 247.4 kgs. of cannabis were confiscated from the maritime sector. With 1981 data added the figure rises to 946.6 m.ts. However, intelligence operations and case investigations done by other countries support the premise that there is a fairly high volume of illicit drugs being exported by sea from Turkey. In volumetric terms, cannabis in the form of hashish accounts for the majority share. Heroin, in various refined grades ranging from crude to pure, accounts for much of the remaining volume of drugs exported. Morphine and opium are still exported by sea but the quantities involved are small compared to the historical scene. Probably, most of the morphine is refined into heroin upon arrival at those states to which it is destined if it has not already been converted in a transit state. The shipment method varies with some of the drug consignments sent on commercial carriers either concealed in or disguised as freight, or within special compartments. Other loads are shipped clandestinely on vessels specifically acquired for such purpose. In regards to the latter method it is believed that the entire southern coastline from Iskenderun westwards to Kocek is utilized for clandestine exportations.⁶¹ Regional trading craft and fishing boats are the vessels commonly used. Unique to this form of shipment has been the concealment of opium consignments within inner tubes of automobile tires.⁶² This method is popular because it grants the smugglers a way to avoid apprehension and keep their drug loads. Basically, if a vessel smuggling drugs believes it is going to be intercepted the drug-laden tubes are heaved overboard. However, because the drugs are within the impermeable tubes, which are both buoyant and waterproof, the tubes can be retrieved without damage to their contents. On a lower level this same scenario applies to the

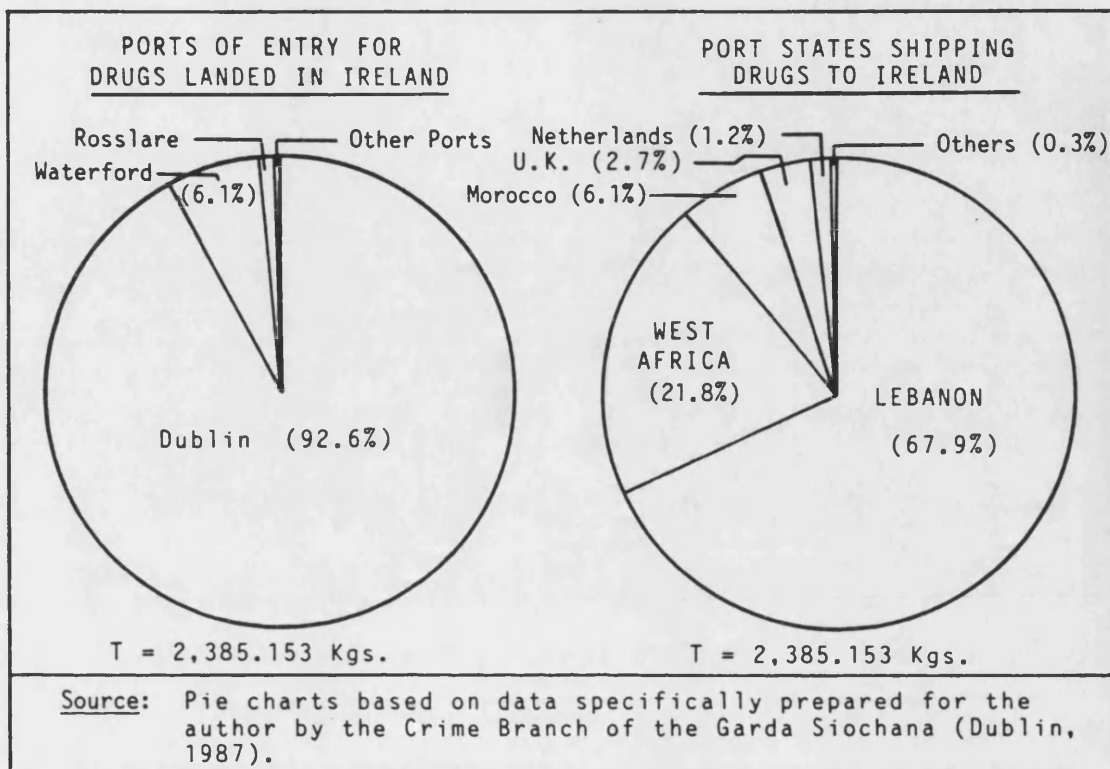
western seacoast extending from Kocek northwards to Gelibolu. Factual information on the destination of Turkey's maritime drug exports is scant. Based on drug seizures effected abroad it is known that Bulgaria, Cyprus, Egypt, Greece, Italy, Lebanon, the Netherlands, Romania and Syria have been and, for the most part, still are the recipients of drugs exported by sea from Turkey. Some of the aforementioned states are, of course, transit states and thus the drug loads are present therein for only a short time.

5.2.1.11 Ireland

The small consumption base in Ireland means the quantities of drugs transported by the various modes of conveyance are also relatively small compared to the majority of other OECD states. However, the insular character of the country ensures that the maritime sector plays a significant role in the importation of drugs into Ireland. Between 1982 - 1986 maritime drug seizures totalled 215.6 kgs. In relation to the total quantity of drugs seized within the country (865.0 kgs.) during this period, the maritime sector accounted by weight for 24.9%. Unfortunately, data is not available by which to deduct the portion of drugs not in the trafficking stage and thus calculate a revised figure. However, a better idea of the role of the maritime sector in Ireland's drug trade is derived by reviewing the period 1980 - 1986. Data for this time period reveals that maritime drug confiscatures accounted by weight for 75.9% of all Irish drug seizures; of which cannabis accounted by weight for 99.95% of this figure. Heroin and amphetamines accounted for the remaining fraction of a percent. Hashish is the principal type of cannabis imported by sea. It accounted by weight for 75.5% of the

total quantity of cannabis interdicted in the period 1980 - 1986 with most of it originating from Lebanon and Morocco. Marijuana constituted the minor share. Most of it came from West Africa. The minute amounts of heroin and amphetamine imported by sea come from the U.K. Based on quantity of drugs interdicted, containerships, RO-RO ships and break-bulk freighters modified for container carriage appear to be the modes of transport commonly utilized. However, this conclusion is the result of statistical distortion and, thus, is of dubious value. The distortion stems from the fact that only a few drug seizures have been effected from such vessels and their cargoes but the quantities involved were very large. A similar analysis based on the number of confiscations shows that ferries are the mode of maritime transport most frequently used for drug trafficking. The amounts involved range between minute and small and the drugs are usually concealed either within passenger luggage, in motor vehicles or on the person. Clandestine importations by sea do not appear to be a popular mode of maritime drug trafficking. The basis for this is because either the market cannot absorb large shipments on a regular basis or the other marine modes of importation suffice. An analysis of the Irish seaports through which drugs enter the country, based on seizure statistics for the period 1980 - 1986, reveals that Dublin is the principal port of entry. Waterford is a secondary port of entry while Rosslare and Dunlaoire both play a minor role. Lebanon is the principal departure point for drug shipments sent in bulk by sea to Ireland while Britain's ports dominate in terms of number of shipments to Ireland. Figure 5.7 presents pie charts on the role of various states in exporting illicit drugs to Ireland by sea and the role of Ireland's seaports as landing sites for illicit drugs.

Figure 5.7 States Of Embarkation And Ports Of Discharge For Drugs Imported To The Republic Of Ireland.



5.2.2 *The Scandinavian States*

Vis-a-vis other coastal OECD states the trafficking of illicit drugs by sea into the Scandinavian countries is quantitatively minor. However, for four of the states the maritime sector is important because it is only one of two modes of importation feasible. Denmark is the exception because it is connected to central Europe. The high level of dependence and involvement on maritime commerce by the Scandinavian states ensures the availability of seaborne conduits by which drugs may readily be conveyed to these states. Collectively, the five Scandinavian states confiscated nearly 1.9 m.ts. of illicit drugs from the maritime sector in the period 1982 - 1986. However, this figure is

somewhat misleading in that 96.7% of that amount was confiscated solely by Sweden. Furthermore, irrespective of the moderate to high degree of homogeneity extant throughout the Scandinavian countries regarding the social bases for their drug scenes one finds no such homogeneity pervading their respective trafficking dimensions. The physical and technical aspects of the maritime trafficking trends observed in the respective states are variform in character. Consequently, a review of the maritime component of Scandinavia's drug trade is best managed by individual analysis of each state.

5.2.2.1 Sweden

Sweden is the premier country in Scandinavia effecting maritime drug seizures. It stands out prominently as a result of the relatively high volume of maritime drug importations. More than 1.8 m.ts. of illicit drugs were seized from the maritime sector in the period 1982 - 1986. In comparison to the other coastal states comprising the European fold of O.E.C.D. Sweden ranks tenth in maritime drug seizures based on quantity confiscated. In relation to the total quantity of drugs seized within Swedish territory (3.7 m.ts.) in the period cited, the maritime sector accounts for 47.7%. Though no correction to the figure can be attempted because of lack of data, it is fair to assume that the revised figure would stand at between 60 - 80%. Further support for this premise is elicited from a review of cocaine seizures for the period referenced. Though the amount of cocaine confiscated in Sweden is small all of it was imported by sea. Cannabis is the principal drug intercepted in the maritime sector accounting by weight for 97.2% of the total quantity of drugs seized. The majority of maritime cannabis confis-

catures involve hashish of Lebanese and Moroccan origin either concealed in freight or conveyed via a combination of sea and land modes of transportation. A route exemplary of the latter method is the export of hashish from Morocco to Spain by sea where it is then transported overland to Denmark and imported to Sweden by ferry. Cocaine is the only other drug seized in significant quantity from the maritime sector. By weight it accounted for 2.7% of all maritime drug seizures effected between 1982 - 1986. Heroin and amphetamines accounted for the remaining 0.1% of drugs imported by sea. Ferries linking Sweden with Denmark and West Germany constitute the predominant class of vessel utilized for maritime drug importations based on number of seizures. Consequently, the ferry ports of Goteborg, Helsingborg, Malmo and Trelleborg are the ports of entry for drugs imported by ferry. The departure points for these drug importations are Frederikshavn, Helsingor and Copenhagen in Denmark and Travemunde in West Germany. The extent to which merchant shipping aside from ferries is involved is unknown. It is presumed that the ports noted above along with Stockholm are the principal landing sites for illicit drug consignments imported on commercial carriers. Vessels engaged in regional trade arriving from Belgium and the Netherlands along with ships coming from countries known for drug production or for serving as transit states are deemed likely transport modes. Yachts are another class of vessel utilized for drug importations. However, in terms of quantity of drugs imported, their role is believed to be small and confined to the summer season. Generally, the minute amounts of drugs imported on these vessels are acquired in Denmark, the Netherlands and West Germany and are intended for either personal use by the vessels' operators back home or limited circulation amongst friends

and relatives. The final aspect to be noted concerning Sweden's involvement in drug trafficking focuses on its role as a transit state. Though quantitatively indefinable, a certain percentage of drugs entering Sweden by sea are shipped onwards to both Norway and Finland. *Vis-a-vis* Norway the drugs are first imported by ferry to a Swedish port, notably Malmö, and then transported overland into Norway.⁶³ In the case of Finland the method of importation to Sweden remains the same, but the drugs are instead transported overland to Stockholm where they are then re-exported by ferry to either Helsinki or Turku.⁶⁴

5.2.2.2 Norway

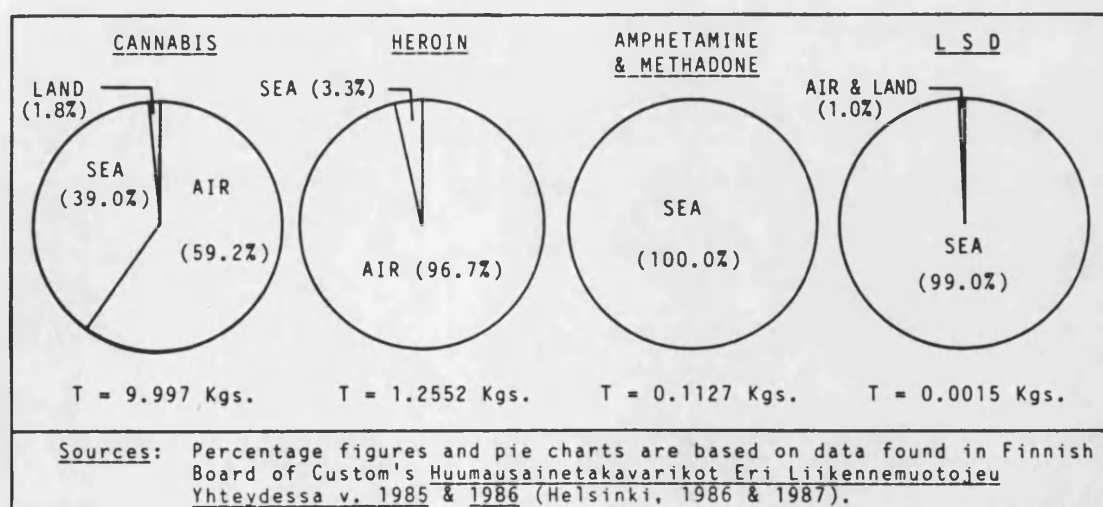
According to the police in Norway "no official Norwegian statistics are maintained regarding the transport modes" employed in drug trafficking.⁶⁵ However, it is unofficially estimated that about 90% of all illicit drug importations are effected by sea, either directly or via Sweden from continental Europe.⁶⁶ Actual seizure figures for the period 1982 - 1986 show that a mere 2 kgs. of illicit drugs were apprehended in the maritime sector. This maritime confiscature figure is the lowest of all the coastal states in O.E.C.D. Of that total, amphetamines accounted by weight for 99.5%. Minute amounts of cocaine and LSD accounted for the balance. Because these figures fail to accurately depict the maritime trafficking situation in Norway some additional remarks of a qualitative nature are required. The principal drug imported by sea is hashish transhipped through continental Europe. Amphetamines, heroin and LSD are additional drugs imported by sea, but on much lower orders of magnitude. In volumetric terms, the transportation of hashish by sea far outweighs the others. However, considering

the high potency factor of the other categories of drugs it must be said that the quantities imported are sufficiently high in dosage terms, though minute in weight, so as to warrant attention. The ferry routes linking southeastern Norway with Denmark and West Germany are the maritime conduits of significance. The "ferry line between Kiel and Oslo is a very important smuggling route" as are the ferry routes linking Hirtshals, Denmark with both Kristiansand and Oslo respectively.⁶⁷ Another significant route for direct importation is that linking Frederikshavn, Denmark with Larvik.⁶⁸ Complementing these direct drug routes are the ferry connections between Sweden and continental Europe; of which the most important, from the Norwegian perspective, is the Copenhagen-Malmö link.⁶⁹ Little is known about the role of cargo ships in the importation of drugs to Norway. It is presumed that container traffic is a vulnerable mode which is being utilized, but to what extent can only be speculated upon. This same dilemma of little knowledge applies to the clandestine mode of drug importation involving vessels specifically acquired for such purpose. Considering Norway's unique coastal geography the country is extremely vulnerable to such activity. It is accepted as fact that drugs are being smuggled into Norway by various classes of small vessels, but the scope of the activity cannot be stated or estimated.⁷⁰ Presumably, fishing boats and pleasure craft are the transport units involved. Yachts, in particular, are believed to play a role during the summer season; the basis for such activity and volumes smuggled being congruous to the Swedish situation. However, it must be said that this mode of drug smuggling can readily become more sinister, or may already have become so but has not been discovered yet.

5.2.2.3 Finland

Maritime drug seizures in Finland are very small. It is fair to say that the maritime sector plays only a minor role in the country's drug trade. For the period 1982 - 1986 maritime drug confiscatures totalled slightly over 2.3 kgs. of which cannabis accounted for 2.2 kgs. and the remaining 0.1 kgs. was split between amphetamines, heroin, LSD and methadone. In relation to the total quantity of drugs seized within Finnish territory (27.6 kgs.) in the years 1985 and 1986 the maritime sector accounted by weight for 14.6%. When the portion of confiscated drugs not seized at the frontier are discounted the figure rises to 35.5%. Aircraft are the predominant transport mode by which drugs are smuggled into Finland accounting by weight for 47.7% after revision. Because the role of the maritime sector varies between the drug categories Figure 5.8 provides a categorical analysis for the years 1985 and 1986. Ferries and passenger ships are the predominant mode of mari-

Figure 5.8 Finnish Maritime Drug Seizures By Drug Category, 1985-86.



time transport accounting by weight for 96% of all maritime drug confiscatures.⁷¹ Cargo ships account for the remaining 4%.⁷² Because ferries are the principal mode of transport Helsinki and Turku are the primary ports of entry for drugs imported by sea. The ferry routes linking Stockholm, Sweden with both Helsinki and Turku respectively along with the route between Travemunde, West Germany and Helsinki constitute the principal routes of importation. In addition to these direct routes there is the indirect route involving a combination of sea and terreal transportation modes. On this route the drugs are first exported by ferry from Denmark to Sweden and then transported overland to Stockholm where they are re-exported on the Stockholm-Finland ferry routes. As noted in the section on Norway, the Copenhagen-Malmo ferry link is considered the major conduit for drugs between Denmark and Sweden and therefore is the primary one by which drugs destined for Finland via Sweden first commence their journey from continental Europe. Lastly, complementing the above maritime modes of importation are yachts and pleasure craft. The perennial palingenesis of a recreational boating industry in the Baltic Sea during the summer season on an expansive scale provides a multitude of individual units of transport feasible for drug trafficking. Naturally, some of them are used to smuggle minute quantities of drugs from Sweden and West Germany into Finland. The character of this activity is identical to that observed in Norway and Sweden involving pleasure craft.

5.2.2.4 Denmark

Of the five Scandinavian countries Denmark maintains the least amount of information regarding the maritime drug trade. According to

the quantitative data available, Denmark seized 37 kgs. of drugs during the period 1982 - 1986; all of it in the form of cannabis. In relation to total drug confiscatures within Danish territory (4.7 m.ts.) exclusive of the Faeroes and Greenland the maritime figure when expressed as a percentage of the total is only a fraction of a percent. However, this figure is meaningless in light of the fact that there is no data maintained on the role of the maritime sector. Realistically, it is not an unreasonable proposition to presume that the maritime sector plays a minor role in the importation of drugs to Denmark. The country's land border with West Germany provides an easy overland frontier across which drugs may be imported. Control mechanisms are lax and the transportation infrastructure linking the two states is excellent. Furthermore, the proximity of Denmark to Belgium, the Netherlands and West Germany - states all known for drug consumption, distribution and production - lends credence to the theory that drugs travel predominantly overland to reach Denmark. Instead, it is the country's role as a transit state which ensures a vital role for the maritime sector in drug trafficking. Denmark's territorial proximity to Norway and Sweden makes the country an excellent conduit through which to send drugs to the latter states. While Denmark is not physically connected to Norway and Sweden, ferries and other vessels sustain a constant and practical link between them. Consequently, these maritime links have all become important modes of conveyance for drugs transhipped through Denmark to Finland, Norway and Sweden. The viability and extensiveness of their utilization has been well documented in earlier sections reviewing the latter three states. Hashish is the principal drug exported by sea followed by amphetamines, cocaine, heroin, LSD and other substances of abuse. Copenhagen is the

major port in Denmark exporting drugs while Frederikshavn, Helsingor and Hirtshals all have secondary roles. Undoubtedly, cargo vessels trading regionally, particularly those engaged in pan-Scandic commerce, also play a role. The role of yachts has already been mentioned in earlier sections covering Finland, Norway and Sweden. To recap, during the summer months yachts voyage from Norway and Sweden to Denmark and while visiting the latter state acquire minute amounts of drugs to take back with them. To be fair, it must be observed that, undoubtedly, Danish yachts also play a role and transport minute quantities to Norway and Sweden. Little is truly known on how rife this activity is. From the law enforcement perspective the most worrisome aspect of the activity is the potentiality which exists for a much more sinister form of drug trade to develop based on the benign to beneficial existence of the recreational boating industry.

5.2.2.5 Iceland

In relative terms one "almost cannot say that there is a real drug market in Iceland."⁷³ Consequently, one may expect the quantity of illicit drugs required to meet domestic demand to be low. Ironically, Iceland confiscates a larger quantity of drugs from the maritime sector than both Finland and Norway combined. Put in proper perspective, however, this is not surprising. Iceland's insular character and isolated position in the North Atlantic mandates that the maritime sector play an important role in commerce, both licit and illicit. Between 1982 - 1986 maritime drug seizures totalled 20.3 kgs. In relation to the total quantity of drugs seized in Iceland (65.2 kgs.) for the period cited, the maritime sector accounted by weight for 31.2%. However, when

the portion of confiscated drugs (45%) not intercepted while entering the country is deducted the revised figure rises to 56.6%. Cannabis, in the form of hashish, of Lebanese and Moroccan origin is the principal drug imported by sea. It accounted by weight for 96.5% of the total quantity of drugs interdicted in the maritime sector in the period noted. Amphetamines produced in Europe, notably the Netherlands, ranked second with a 2.5% share of the total quantity and heroin was third with a 1.0% share. The interesting aspect of these percentage figures is the ratio relationship between cannabis and the hard drugs. Though Iceland is a small country and many would not expect drug consumption to be a sophisticated matter with use oriented towards the hard drugs this trend is exactly what the maritime seizure figures support. Compared to nearly all the other OECD states analysed so far Iceland shows a higher proportion of hard drugs being imported by sea relative to cannabis than found elsewhere. This is all the more interesting when one considers the transport cost versus distance phenomenon which requires that drugs with low unitized value be shipped in greater quantity to generate profit while drugs of high unitized value be conveyed rapidly to destination to realize profit. However, placed in proper perspective the anomaly is not significant. The transport restrictions imposed by Iceland's distance from drug sources combined with the lack of a volumetrically-demanding market within means that the quantities of drugs imported will be shipped via any and all modes available without significant regard for scales of economy associated with organized trafficking operations and structured routes. Most maritime drug imports to Iceland come on commercial carriers and, to a lesser degree, fishing vessels which have sailed to various European ports and acquired the

drugs while there. Copenhagen, Amsterdam and Rotterdam are the principal ports abroad where drugs are obtained for import to Iceland.⁷⁴ Generally, the method of stowage and concealment of the drugs is similar to the *modus operandi* used for alcohol smuggling into Iceland.⁷⁵ Alternatively, concealment is within legitimate cargo consignments. Ports in Iceland where illicit drugs are landed include Hafnarfjordhur, Keflavik, Reykjavik and Straumsvik.

5.2.3 The North American Scene

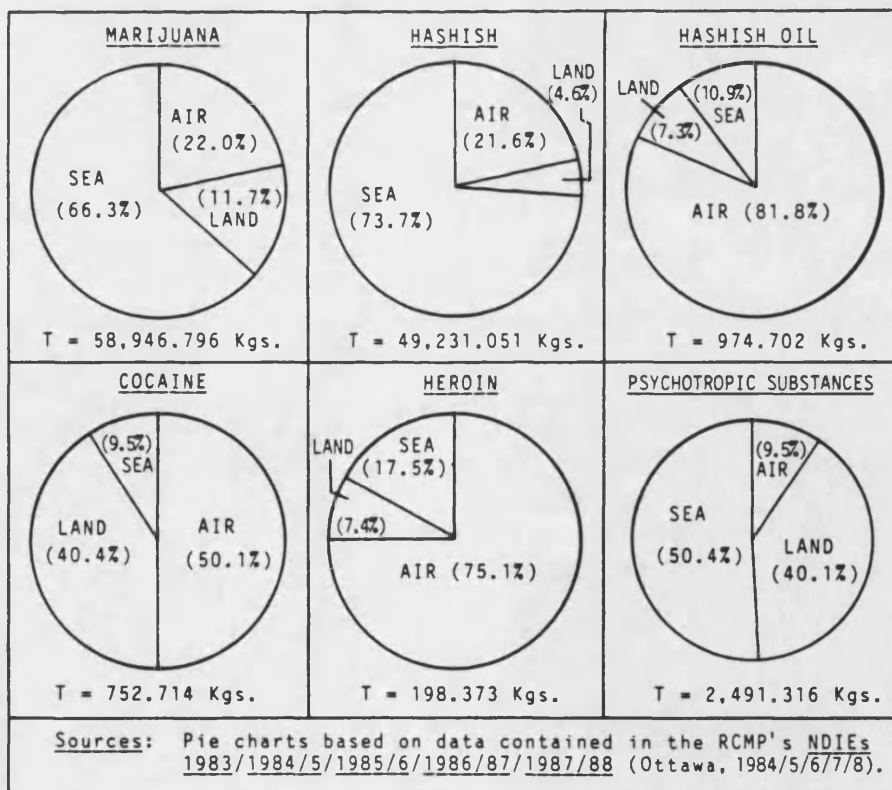
Together, Canada and the United States constitute the largest trading bloc for illicit drugs in the world. As such it is only to be expected that the maritime sector plays an important role in the importation of drugs to North America. Moreover, the geographic insularity of the continent from select drug production areas mandates its utilization. In the period 1982 - 1986 these two states collectively interdicted more than 10,000 m.ts. of illicit drugs in the act of being smuggled into them. The neighbouring position of Canada and the U.S.A. vis-a-vis each other combined with the high degree of commonality in culture and social behaviour ensures that they experience, for the most part, the same trends in drug trafficking. Moreover, it means that they will serve as transit states for each other though the scope of these roles is unclear. For example, the Canadians believe that 50% of all cocaine entering their country transits the U.S. first.⁷⁶ Figuratively speaking, the flow of drugs by sea into North America is a spectre of the old 'China opium trade', both in magnitude and affect, but which in reality is now a drug problem that constitutes an American drug evil.

5.2.3.1 Canada

Of the two North American OECD members Canada effects the minor share of maritime drug confiscatures. In the period 1982 - 1986 Canada seized close to 76.9 m.ts. of illicit drugs from the maritime sector. In percentage terms, Canada accounted for only 0.74% of the total quantity of drugs confiscated in the maritime sector amongst all the coastal OECD states under review in this treatise. Because this figure appears minute and trivializes the threat drugs pose to the country, it must be pointed out that if the U.S.'s seizure figures are removed from the group sum Canada's seizure share rises to 19.7%. Overall, Canada ranks second in maritime drug seizures by weight. In relation to the total quantity of drugs confiscated within Canadian territory (112.6 m.ts.) for the period referenced, the maritime sector accounted for 68.3%. In contrast, the air sector accounted for 22.3% and the overland modes of conveyance accounted for the remaining 9.4%. Cannabis was the principal drug interdicted in the maritime sector accounting by weight for 98.2% of all maritime drug seizures during the period cited. A collection of psychotropic substances ranked a distant second with a 1.1% share while cocaine was third with 0.1% followed by heroin with the remaining 0.1%. However, it must be noted that the large percentage figure for the psychotropic substance category is more a statistical aberration induced by a massive seizure of methaqualone (1,138 kgs.) and large seizure of diazepam (100 kgs.) in 1982. Though an event in the early 1980s, notably 1981, maritime seizures of such substances since 1982 have ceased to occur.⁷⁷ Therefore, from a qualitative perspective, it is better to consider cocaine as the second drug most frequently intercepted in the maritime sector. A similar analysis to that above on

maritime drug confiscatures but based on number of seizures in the years 1984 - 1987 shows that cannabis accounts for 87% of all maritime seizures while cocaine accounts for 13%. Instead of describing the role of the maritime sector in relation to all the various categories of drugs imported to Canada Figure 5.9 presents a series of pie charts evaluating the roles of the various transportation sectors by drug category. Of the total quantity of cannabis trafficked by sea in the years 1982 - 1986 marijuana accounted by weight for the majority share but just barely with a 51.8% share while hashish accounted for 48.1%. Liquid cannabis in the form of hashish oil accounted for the remaining 0.1%.

Figure 5.9 Modes Of Drug Importation To Canada, 1982 - 1986.



Marine cargo is deemed the most attractive method for smuggling illicit drugs into Canada and is used frequently. Most drug importations using this method involve cannabis coming from India, Jamaica, Lebanon and Pakistan; much of it routed and transhipped through major seaports in either Asia, Europe or the U.S. In many cases, the purpose of the indirect routing of drug-laden freight is to distance it from its true origin point by having the last port of call be one not known for drugs. Among the foreign ports used as trans-shipment sites are Hong Kong and Kao-hsiung in Asia; Newark and Seattle in the U.S.; and Antwerp, Felixstowe and Hamburg in Europe.⁷⁸ In the period 1985 - 1987 seventeen drug seizures were effected and more than 27 m.ts. of illicit drugs were found hidden in marine freight imported to Canada. In addition to the use of legitimate cargo for smuggling drugs there has been a moderate increase in the trafficking of drugs by ships' crews. In that same period 40 drug seizures involving crew members were effected from cargo ships, fishing vessels and cruiseships. The majority of these seizures involved small quantities of drugs weighing between one to a few tens of kilograms. In contrast, the majority of clandestine importations by sea involve motherships carrying multi-ton consignments of cannabis. Generally, the vessels employed are old coastal freighters and yachts. Most of the activity occurs along the eastern seaboard of Canada, particularly off the southeastern coast of Nova Scotia and Newfoundland, while on the Canadian Westcoast the principal maritime area for clandestine importations is the western coast of Vancouver Island. Cannabis is the principal drug imported this way with the bulk of it being marijuana exported from Colombia followed, on a secondary level, by hashish from Lebanon and Morocco. Other routes traversed, but

on a lesser scale and involving more the use of fishing vessels and yachts, include those used for the importation of marijuana from Jamaica to the Canadian Eastcoast and from Thailand to British Columbia. Additionally, it is believed though not corroborated by actual interdictions that drugs are being imported to British Columbia from Colombia's Pacific coast and Mexico's Westcoast both directly and via the U.S.'s northwestern coastal states of Oregon and Washington.

Based on weight, most maritime drug confiscatures involve drugs either concealed in or disguised as freight and those intercepted from clandestine smuggling operations. However, in terms of number of seizures the majority of drug confiscatures are effected from individuals and their baggage while entering Canada by ferry and, to a much lesser degree, by pleasure craft, cruiseships and canoes. Passengers on the ferries linking the U.S. and Canada along both the east and west coasts of North America and on the Great Lakes accounted for 86% of all maritime drug seizures effected from individuals travelling by ship during the years 1985 - 1987.⁷⁹ The majority of these seizures involved small drug amounts intended for personal use. An analysis of Canadian ports serving as landing sites for drugs based on quantity seized shows that Montreal accounts for the largest share with 85.9% followed by St. John's with 11.9% and Vancouver with 2.2%. Contrastingly, if the same sort of analysis is done based on number of seizures then Yarmouth leads with a 55.9% share followed by Victoria with 26.3% and Vancouver with 4.8%. Montreal is the primary port of destination for drugs concealed in cargo or, if not the final destination, the entry point for drugs being transhipped through the port bound elsewhere in Canada. Montreal's prominent role as a maritime

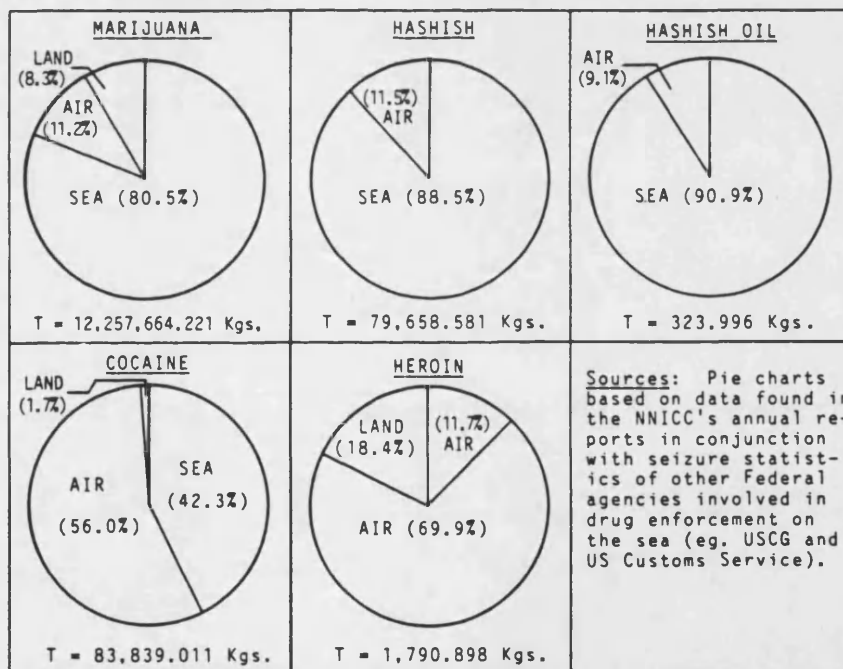
entry point for illicit drugs is believed to be because organized trafficking groups in Canada are based there. On the other hand, Yarmouth dominates in terms of number of seizures because it is the Canadian terminus of the Gulf of Maine ferry link with Portland, Maine in the U.S.

5.2.3.2 The United States of America

The United States intercepts the largest quantity of illicit drugs in the process of being imported by sea per annum over all other countries in the world. During the period 1982 - 1986 more than 9,971.6 m.ts. of illicit drugs were interdicted in the maritime sector. Expressed in percentage terms, the U.S. accounted for 96.2% of the total quantity of drugs confiscated from the maritime sector by all the coastal OECD states combined. In relation to the total amount of drugs intercepted within U.S. territory⁶⁰ (12,423.8 m.ts.) for the period cited, the maritime sector accounted for 80.3% (the figure already corrected). Cannabis was the principal drug confiscated from the maritime sector accounting by weight for 99.6% of the total quantity of drugs seized therein. Of the total amount of cannabis seized in the maritime sector for the period given 99.3% of it was marijuana while hashish accounted for the remaining 0.7%. Hashish oil was also seized but the quantity, when expressed in percent, is minuscule totalling a mere 0.003% of the cannabis total. Albeit distantly, cocaine ranked second in maritime drug confiscatures accounting for 0.35% of the total quantity of drugs interdicted in the maritime sector. However, it must be observed that though the percent share appears as a fraction of a percent, in actuality the amount of cocaine seized from the seaborne modes of conveyance amounted to over 35.5 m.ts. in the period referenced. *Vis-a-vis*

the total amount of cocaine seized in the maritime sector by the coastal OECD states as a group the U.S. accounted by weight for 98.4% of all maritime cocaine confiscatures. Heroin ranked third in maritime drug confiscatures for the period given with a minuscule fraction of a percent share followed by opium and, lastly, various psychotropic substances; the latter two categories accounting for infinitesimal shares. Instead of discussing the role of the maritime transport sector in drug importation Figure 5.10 offers a series of pie charts graphically portraying the roles of the various transport sectors by drug category.

Figure 5.10 Modes Of Drug Importation To The U.S.A., 1982 - 1986.



The bulk share of illicit drugs imported by sea are shipped clandestinely and privately, either directly on vessels specifically acquired for such purpose or via mothership operations. Among the sub-

stances commonly imported by one of these methods are marijuana of Colombian, Jamaican and Thai origin along with hashish of Lebanese and Pakistani origin. A third method of covert importation by sea utilized involves both the atmospheric and maritime sectors but with the method and site of actual trans-shipment subject to variation. In the first scenario the drug consignments are flown from Colombia to desolate islands in the Caribbean, notably in the Bahamas, where the aircraft land and transfer the drugs to small vessels which then convey the illicit cargoes to the U.S. In the second trans-shipment scenario the aircraft do not land but simply drop their drug loads to waiting vessels, either in Bahamian or U.S. coastal waters, which retrieve the drugs and transport them to the U.S. The latter method has been frequently utilized for the importation of Jamaican cannabis. The basis for the prominence of the clandestine methods of importation is because of the dominance of marijuana, in volumetric terms, in the US drug market. As commented upon in the beginning of this chapter, the low unitized value of marijuana necessitates that it be shipped in bulk in order to justify the large capital investment in transportation units and maximize profit. Lastly, it must be noted that clandestine drug importation is not restricted to the Eastcoast and Gulfcoast of the country nor to cannabis only. Large amounts of cocaine are now being imported this way and clandestine drug importation by sea is transpiring along the Pacific coast of North America. However, less is known about these activities. It is believed that the scale of activity on the Pacific side is less and, predominantly, involves cannabis originating from Colombia, Mexico and, on a lower level, Thailand.

Marine cargo is the other important method by which illicit drugs

are imported by sea to the U.S. However, the weight of the average shipment is less than that observed with the clandestine methods. Two factors are responsible for this trend. Imprimis, constraints are imposed on the amount of drug which may be concealed in a unit of cargo by the cubic dimensions of the hiding places. Secondly, select hard drugs are shipped in cargo but because of their potency factors the quantity shipped at one time need not be large. Cannabis, both in the form of hashish and marijuana, accounts by weight for the majority share of illicit drugs imported this way. Cocaine and heroin account for the minor share. In particular, Golden Triangle heroin is imported this way, both directly to the ports of Los Angeles, New York and San Francisco and indirectly to the aforementioned ports via transit states such as Hong Kong, Japan, Taiwan and, *vis-a-vis* Burmese and Laotian heroin, Thailand.⁹¹ Generally, the purpose for transshipping the heroin-laden cargo is to either obscure the actual source of the cargo or repack the drugs in other cargo which it is hoped will receive less attention by US customs inspectors upon entry. Cargo documentation may be altered as well. In contrast, the majority of Southwest Asian heroin comes by air while most Mexican heroin enters the U.S. via overland modes of transportation. In regards to cocaine it must be stated that concealment within or as cargo has been the principal method of effecting maritime importation throughout the 1980s. However, of late, a change has been noted in the maritime patterns of cocaine trafficking. It now appears "that there has been a shift from the 'traditional' bulk marijuana shipments seen in the past" in the covert trade "to the smaller, more easily concealed, but far more valuable, cargo of cocaine" (ie. cocaine is increasingly being imported by clandestine methods of

shipment).⁸² Evidence corroborating this maxim as fact are the large seizures of cocaine effected in Jamaican, Haitian and Honduran waters from non-commercial vessels.⁸³

The classes of vessels employed in smuggling drugs into the U.S. are diverse ranging from small pleasure craft to giant tankers. However, based on the methods of importation commonly utilized, some general observations can be made regarding the vessel classes involved. Essentially, the types of vessels utilized can be differentiated into three vessel groupings based on method of use. The first are the common carriers (eg. containerships, break-bulk freighters, passenger liners and tank ships). They are involved either because the cargoes carried and routes served make them attractive modes of conveyance or because their crews are engaged in trafficking both on an individual basis and as part of some larger conspiracy devised by a trafficking organization. Containerships are the most common vessel class simply because they are the principal mode of dry cargo shipping engaged in U.S. foreign trade. Consequently, a substantial portion of the illicit drugs imported, either concealed within or disguised as freight, arrive on containerships. Subsumed under the broad category of private vessels, the second grouping encompasses the small coastal freighters and large fishing vessels functioning as motherships. Generally, these vessels are old and have been structurally modified so as to carry large drug shipments. Usually, a criminal organization is involved and the entire crew is party to the trafficking conspiracy. The vessels which rendez-vous with the motherships vary, but typically include sailboats, sport fishing boats, cabin cruisers and cigarette boats.⁸⁴ Also subsumed under the category of private vessels, the third grouping comprises vessels rang-

ing in size from 40-foot sailing boats to 70-foot shrimpers which carry multi-ton drug consignments and are used for direct drug importations of a clandestine nature. These vessels are sufficiently sturdy to sail on the ocean yet possess an appearance innocuous enough not to attract the same degree of attention as certain other types of vessels will when in given coastal areas. Measured in quantitative terms, it is observed that the private vessels dominate in involvement; both in the numbers involved and the quantities of drugs imported by sea. Considering that marijuana is the principal drug imported this is not surprising. The greatest change in the maritime importation of drugs to the U.S. in the 1980s has been the proliferation in use of small vessels. Smugglers today are using high performance pleasure craft and fishing boats with state-of-the-art equipment.⁸⁵

Although the database is incomplete enough data has been collected by the USCG to permit a fair analysis of the role of various flags of registry in the clandestine importation of drugs to the U.S.⁸⁶ Table 5.7 offers a statistical analysis of the role of vessel nationality in relation to U.S. marijuana interdictions in the maritime sector. Because the source of the data is the USCG it has to be noted that the statistics reflect drug confiscatures effected mostly from non-commercial shipping which was engaged in covert importation. Therefore, Table 5.7 is a complete representation of the role of vessel nationality in the U.S.'s clandestine drug trade.

The part of the U.S. most often the site for clandestine drug importations by sea is the coastal zone in the southeast extending from Key West, Florida northward to the border between South and North Carolina. Based on USCG seizure statistics for 1986, 81.8% by weight of

Table 5.7 U.S. Marijuana Seizures By Vessel Nationality For 1985-86.

Vessel Nationality (flag of registry)	Number of Cases	Percent Share (by cases)	Quantity Seized (Kgs.)	Percent Share (by quantity)
Bahamas	5	1.4%	23,010.8	1.3%
Barbados	1	0.3%	22,697.8	1.3%
Brit. Virgin Isl.	1	0.3%	3,919.0	0.2%
Canada	2	0.6%	589.7	0.03%
Cayman Isl.	5	1.4%	17,429.8	1.0%
Colombia	9	2.5%	124,035.0	7.2%
France	2	0.6%	10,670.8	0.6%
Guatemala	1	0.3%	17,111.8	1.0%
Haiti	5	1.4%	14,787.1	0.9%
Honduras	9	2.5%	57,529.6	3.4%
Jamaica	1	0.3%	2,041.2	0.1%
Mexico	5	1.4%	41,449.3	2.4%
Panama	14	3.9%	182,607.9	10.7%
U.K.	4	1.1%	31,104.2	1.8%
U.S.A.	258	71.5%	652,596.8	38.1%
Venezuela	1	0.3%	16,510.8	1.0%
stateless	38	10.5%	494,984.6	28.9%
Source: USCG, General Law Enforcement Digest Of Interdiction Statistics of 16 January 1987 (Washington, D.C., 1987), p. 10.				

all maritime drug interceptions are effected therein.⁸⁷ When the same analysis is done based on the number of seizures the figure is nearly identical at 83.9%.⁸⁸ Table 5.8 reviews USCG drug seizures for all of the maritime regions enveloping the U.S. The principal ports of entry for drugs imported in marine cargo and by crew members are New York, Baltimore and Savannah on the Eastcoast, New Orleans on the Gulfcoast and Los Angeles, San Francisco and Seattle on the Westcoast.

Lastly, it must be acknowledged that though the U.S. is predominantly a maritime importer of illicit drugs it is also a minor exporter of drugs by sea. Virtually all the drugs exported by sea go to Canada, mostly by ferry, fishing vessel and pleasure craft. As the Canadian section already covered this topic, nothing further is said here in relation to this trade.

Table 5.8 USCG Seizure Statistics By Maritime Region For 1986.

Site/Region	Number of Seizures	Quantity Seized (Kgs.)	Percent Share Based on Qty.
NEW ENGLAND (Maine south to Delaware/Virginia coastal boundary)	3	27,519.5	3.6%
MID-ATLANTIC (Virginia south to North Carolina/South Carolina boundary)	2	635.5	0.08%
SOUTHEAST U.S./CARIBBEAN (South Carolina south to Key West, Florida)	266	631,175.6	81.8%
GULF of MEXICO (Panama City, Florida west to Texas/Mexico boundary)	13	32,230.0	4.2%
CENTRAL/GREAT LAKES (Encompasses the Great Lakes and adjoining waterways within U.S.)	5	137.5	0.02%
PACIFIC DISTRICTS (Embraces entire U.S. Westcoast and Alaskan Hawaiian coastal waters)	25	20,892.8	2.7%
ATLANTIC OCEAN (Area outside USCG districts)	3	59,257.4	7.7%
PACIFIC OCEAN (Area outside USCG districts)	0	0	-
Totals for United States	317	771,842.3	100.0%
Source: USCG, <u>General Law Enforcement Digest Of Interdiction Statistics</u> of 16 January 1987 (Washington, D.C., 1987), p. 9.			

In closing out the review of the U.S.'s maritime drug scene it has to be said that the trafficking industry - if one may be permitted to call it that - is both sophisticated and versatile and capable of immediate response to threats to its survival. The drug trafficking scene in the U.S. is basically one of tense balance created by two opposing forces which are constantly trying to outdo the other. When one gains a little headway over the other the latter amends its operation so as to regain the equilibrium. The validity of this theorem is readily evidenced in the various dynamic developments observed in the U.S.'s

maritime drug trade over the last ten years. Several examples may be cited of both the traffickers' adaptability and ingenuity in responding to US enforcement initiatives. One example is the restructuring and rerouting of sailing routes. In the early 1980s maritime drug smugglers normally sailed through the Yucatan and Windward Passages to reach the U.S. However, as American enforcement initiatives clamped down on the use of these channels by creating a gauntlet of interception craft the traffickers countered by either acquiring vessels with large fuel capacities and extended ranges or outfitting their own with extra tanks so as to enable them to transit the many passages extant in the Lesser Antilles.⁸⁹ Another example is the increased sophistication and complexity in concealment techniques. In the 1970s and early 1980s many drug traffickers simply conveyed their drug loads without any real attempt at concealment. However, as law enforcement efforts were stepped up and these shipments began to be frequently seized, ingenuity in concealment and deception evolved to new levels. Vessels are now either built or reconstructed with false compartments which are both hard to detect and difficult to access. A third example is the rise in the utilization of 'air-drops'. This method eliminates the need for terrestrial trans-shipment sites, which aircraft otherwise require to offload drugs, and consequently reduces all risks associated with such operation. Aircraft on the ground are vulnerable and the support base is easily targeted once discovered. With the 'air-drop' method the actual trans-shipment sites may vary and be altered on short notice if not instantaneously. A fourth example is the emergence of counter-intelligence systems by the drug trafficking groups for use against the U.S.'s law enforcement agencies. The acquisition of informants and

placement of spies within the pertinent enforcement agencies to keep watch over the latter's activities and operations are examples of their counter-intelligence efforts.⁹⁰ However, the most ominous development has been the traffickers' acquisition of reconnaissance aircraft to conduct counter-surveillance operations against the interdiction and surveillance units operated by the U.S. authorities.⁹¹ A fifth example is the implementation by the traffickers of the convoy system of smuggling. Under this system numerous drug-laden vessels approach the U.S. coast simultaneously thus overwhelming the interdiction forces available.⁹² In this form of smuggling assault, which may be labelled a drug 'blitzkrieg', the traffickers accept a loss ratio of one out of three or four.⁹³ The profits realized on the drug loads which get through cover the lost vessels and drug cargoes - in essence the 25 - 33% loss ratio is part of the course of doing business. A sixth example is the traffickers' use of false distress calls to lure or divert patrol vessels away from their stations. While the patrol craft are responding to the false signals the drug smugglers' vessels slip through the area that the patrol craft normally patrolled. A final example, which emphasizes the integration of maritime drug routes from source to destination, is the traffickers' acquisition of coastal property in the New England region. As the traffickers shifted their smuggling activities northward away from the southeast in the 1980s they purchased and leased coastal property which was both secluded and had adequate docking facilities for their vessels to berth at.⁹⁴ This granted them legitimate facades behind which they could land drugs covertly without raising much interest in their activities.

5.2.4 The Situation Amongst The Pacific OECD Members

Compared to the maritime drug scenes observed amongst the OECD states in both Europe and North America it has to be said that the level of maritime drug trafficking amongst the Pacific OECD states is of a considerably lower order of magnitude. Together, Australia, Japan and New Zealand confiscated more than 16.2 m.ts. of illicit drugs in the period 1982 - 1986. In regard to the latter two states a unique trend is the high proportion of drugs other than cannabis seized in relation to the total amounts of drugs confiscated from their respective maritime sectors. Though the Japanese situation cannot be fully evaluated due to data problems it is observed that methamphetamines account for a significant portion of the drugs imported by sea. In New Zealand's case heroin, opium and LSD account for 2.9% of the total quantity of drugs interdicted in the maritime sector. While this percentage seems small and the actual quantities involved were small, it must be borne in mind that relative to the cannabis/non-cannabis ratios seen in most other OECD countries the figure is substantial. In addition to Japan and New Zealand, only Finland, Iceland and Norway possess statistical similarity with the non-cannabis component comprising higher percentage shares of the total quantities seized in their respective maritime sectors.

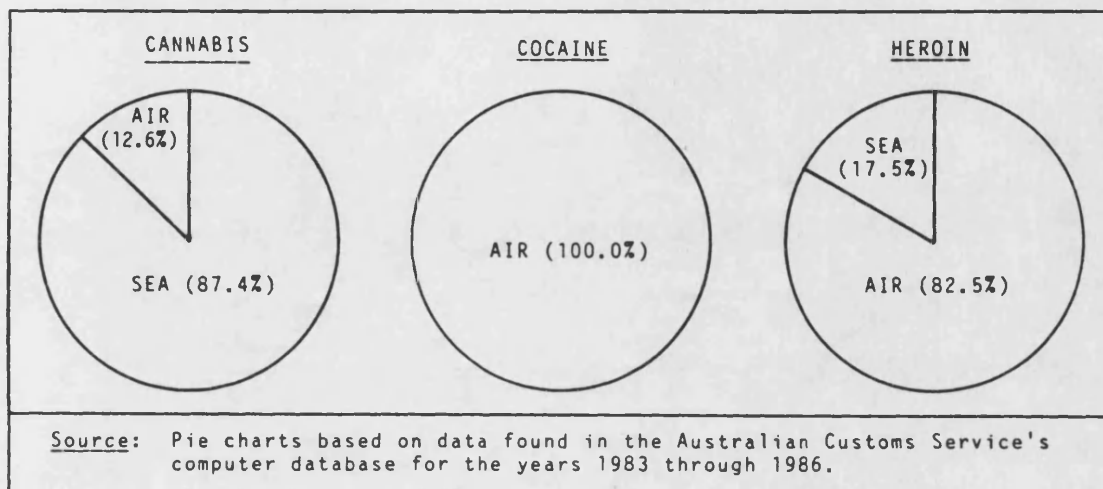
5.2.4.1 Australia

Of the three coastal OECD states in the Pacific region, Australia confiscates the largest share of illicit drugs imported via the maritime medium. In the period 1982 - 1986 more than 15.7 m.ts. of illicit drugs were intercepted in the maritime sector. In percentage terms, Australia accounted for about 96% of the total quantity of drugs confiscated from

the maritime sector amongst the three Pacific OECD states. Overall, Australia ranks tenth in maritime drug seizures by weight for the aforementioned period amongst the entire OECD group. In relation to the total quantity of drugs seized within Australian territory (22.5 m.ts.) including Tasmania, but excluding the many islands under protectorate status, for the period referenced above the maritime sector accounted for 70.1%. When the portion of seized drugs not intercepted while crossing the frontier is deducted the revised figure stands at 81.7%. Cannabis is the principal drug interdicted in the maritime sector accounting by weight for 99.73% of all maritime drug confiscatures. Because of the way seizure records are collected and maintained no definitive differentiation between the roles hashish and marijuana play can be proffered. Heroin ranks a distant second with a 0.26% share while cocaine, opium and amphetamines collectively account for the remaining 0.01%. Instead of describing the role of the maritime sector *vis-a-vis* the various categories of drugs imported Figure 5.11 presents a series of pie charts portraying the roles of the various transportation sectors in Australian drug importations.

The concealment of drugs within marine cargo is the predominant method of maritime drug importation to Australia. Between 1982 - 1986 seafreight was the location of 73.3% of the total quantity of drugs intercepted entering Australia by sea. Clandestine importation provided an additional 26.3% while the use of the ship itself as a cache for drugs accounted for a further 0.3%. Passengers arriving by sea and unaccompanied baggage accounted for fractional shares of the remaining 0.1%. A substantial portion of the drug seizures effected from marine cargo involve containerized cargoes.⁹⁵ Conversely, most of the drugs

Figure 5.11 Modes Of Drug Importation To Australia, 1983 - 1986.



found onboard ships usually are discovered either in the crews' quarters or stashed amongst the vessels' bulkheads or in false compartments.⁹⁶ Because most drugs entering Australia by sea arrive in cargo the principal entry points are the seaports. As Table 5.9 shows, Sydney in New South Wales, Melbourne in Victoria, Darwin in the Northern Territory and Carnarvon in Western Australia are the prominent ports of entry for illicit drugs. Though Shark Bay is listed in Table 5.9 it must be noted that the quantity confiscated (1.9 m.ts.) involved a clandestine importation attempt by private vessel. Because large stretches of the coastline along northern and western Australia extending from Gove westward to Cape Cuvier are sparsely populated and uninhabited, the AFP believes that clandestine drug importations are more prevalent than seizure records indicate.⁹⁷ Generally, these drug importations either

Table 5.9 Major Ports And Sites Of Entry For Illicit Drugs In Australia, 1982 - 1986.

Port/Site of Entry	Quantity (Kgs.)	Percent Share
Sydney	6,267.557	39.8%
Melbourne	2,524.397	16.0%
Shark Bay	1,919.000	12.2%
Darwin	980.043	6.2%
Carnarvon	885.008	5.6%
Other ports (24)	11.454	0.1%
Clandestine landings along the coasts of Northern Territory & Western Australia	3,170.000	20.1%
Total	15,757.460	100.0%
Source: Table compiled by author from data contained in the seizure database maintained by the ACS for the years 1982 - 1986 and in the AFP's annual reports.		

involve yachts engaged in direct landings or mothership operations. Cannabis is the principal drug landed via this method. However, as documented by the Royal Commission of Inquiry into Drug Trafficking, heroin is also imported by yacht.⁹⁸ Though the database is incomplete it, nevertheless, is possible to present a fair listing of those countries which serve as the departure points for drugs bound for Australia by sea. As Table 5.10 shows, based on those cases where such data was collected, over 60% of the total quantity of drugs imported by sea departed from Lebanon and Pakistan.⁹⁹ The prominence of these two countries indicates that hashish is the principal type of cannabis imported by sea though no quantitative data is available to corroborate this assertion.

In addition to the import trade in illicit drugs there also exists a minor export trade in drugs by sea. Australia serves as a transit state for drug shipments originating from elsewhere and destined for New Zealand. Furthermore, it is an exporter in its own right. This is be-

cause Australia produces drugs domestically and a minute share of that production is exported to New Zealand. The trans-Tasman shipping link between the two states is the conduit employed to effect export. More will be said on this aspect in the following section on New Zealand.

Table 5.10 Origin Points Of Australian Drug Imports By Sea, 1982-86.

Departure Point	Percent Share Based on Weight
Lebanon	35.9%
Pakistan	24.4%
Singapore	17.1%
India	8.2%
Philippines	6.7%
Thailand	6.1%
Italy	0.8%
Hong Kong	0.6%
U.S.A.	0.2%
Other states (14)	0.01%
Total	100.0%
Source: Data compiled by author from seizure statistics statistics collected and kept by both the ACS and AFP for the years 1982 - 1986.	

5.2.4.2 New Zealand

In terms of magnitude, the maritime drug trade of New Zealand is comparable to that observed in most of the Scandinavian states except for Sweden. In the period 1982 - 1986 New Zealand seized 37.8 kgs. of illicit drugs from the maritime sector. In relation to the total quantity of drugs seized in New Zealand (2,015.0 kgs.) for that period the maritime sector accounted for 1.8%. Cannabis was the principal drug interdicted in the maritime sector accounting by weight for 97% of all maritime drug confiscatures. Though figures are not available it is known that hashish accounted for most of the cannabis intercepted. Heroin ranked a distant second with a 1.6% share while opium accounted for 1.3%. Minute amounts of cocaine and LSD were also confiscated from

the maritime sector and they accounted for the remaining 0.1%. Aside from cannabis, nearly all other drugs enter New Zealand by air. Most of the hashish imported by sea is transported by containerships and RO-RO ships engaged in trans-Tasman trade with Australia and by the variety of ships engaged in inter-regional commerce with Southeast Asia and India. Overall though, containerships appear to be the principal carriers involved. *Vis-a-vis* LSD the trans-Tasman route is considered the prime conduit for its importation by sea. It is believed that seamen serving on ships engaged in this trade effect the import of LSD as a result of either their membership in or affiliation with New Zealand drug gangs.¹⁰⁰ In context with the trans-Tasman trafficking scene it must be noted that Australia is usually serving as the trans-shipment point for the drug consignments as their origin is elsewhere. Concurrently, Australia also functions outrightly as a minor drug exporter because some of the heroin and LSD exported to New Zealand are refined and manufactured there. In terms of method of shipment, it is found that in about 95% of the cases crew members are responsible while in the remainder of cases the drugs are concealed within freight. As Table 5.11

Table 5.11 Principal Ports Of Entry For Drugs To New Zealand, 1984-86.

Port of Seizure	Percent Share Based on Weight
New Plymouth	43.7%
Auckland	43.1%
Wellington	3.8%
Tauranga	3.2%
Christchurch	3.1%
Invercargill	2.5%
All Others	0.6%
Total	100.0%
Source: Data derived from statistical database on drug seizures maintained by NZ Customs Dept. for years 1984 - 1986.	

shows, the principal ports of entry for illicit drugs to New Zealand, based on weight, are New Plymouth and Auckland.

5.2.4.3 Japan

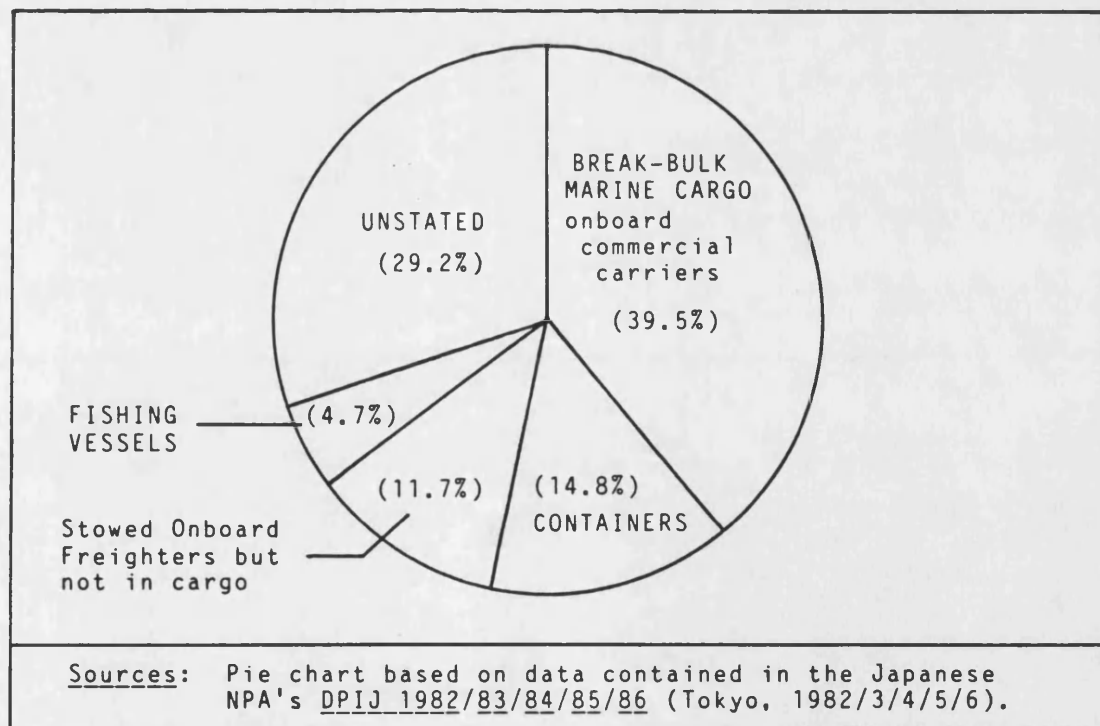
In contrast to all the other coastal OECD states Japan is unique in that stimulants, primarily methamphetamine, are one of the two principal substances imported by sea; the other being cannabis. The quantities of other drugs seized from the seaborne modes of conveyance are minute and insignificant. Unfortunately, Japan is another country where the quantitative information on the role of the various transport sectors is poor. The data required for determining the portion of cannabis transported by sea is not compiled thus preventing quantitative assessment of the proportional relationship of cannabis and the stimulants vis-a-vis each other and in relation to all other drugs imported by sea. However, sufficient information is gathered regarding stimulant seizures such that some inferences may be drawn based on a comparison of maritime stimulant seizures to national cannabis seizures. From this comparison, it is possible to calculate the range within which the percentage share that maritime stimulant seizures possess in relation to total maritime seizures of all drugs must fall. Without elaborating on the mathematics involved, the result obtained is that stimulant seizures accounted for somewhere between 34.5 - 51.4% of the total quantity of drugs interdicted in the maritime sector during the period 1981 - 1985.

Because Japan is a fragmented insular entity all imported drugs must come by air or sea. Information obtained from intelligence activities and police investigations indicates that the maritime sector plays the more significant role. Close to 74% (629 kgs.) of the total

quantity of stimulants seized in Japan during the period 1981 - 1985 were either confiscated from the maritime sector directly or apprehended later within the country but ascertained to have been imported by sea.¹⁰¹ Though complete data is lacking, in a majority of cases the source of the stimulants imported is established.¹⁰² As noted in Chapter 3, the bulk of stimulants seized in the period 1980 - 1985 came from South Korea. However, the overall trend depicted obscures the fact that for the middle years of the decade (1984/85) Taiwan was, by far, the most prominent source of stimulants imported by sea. It provided by weight 76.6% of all stimulants seized in Japan during 1984 and 1985 while South Korea provided 13.4%. The majority of stimulants imported by sea are either transported on commercial carriers or shipped clandestinely on fishing vessels. In general, it is thought that the entire western coastline of Japan functions as one elongated perimeter across which illicit stimulants enter the country from the sea. Japan's proximity to shipping centres like South Korea and Taiwan combined with the constant flux in marine personnel and high level of trade ensures the utilization of its western coast for drug importation.¹⁰³ The portion of stimulants imported by sea on commercial carriers are generally carried by crew members or concealed within cargo. Most of the portion of stimulants shipped clandestinely into Japan by sea are landed either at small local ports or on offshore islands or along isolated beaches. The use of small local ports as landing sites has increased during the 1980s for two reasons. Imprimis, the enhanced vigilance maintained by customs officials at the major ports in recent years has magnified the risk of detection of drug consignments shipped on commercial carriers. Secondly, the local ports tend to be areas of the country where the

presence of the local constabulary and other regulatory agencies is relatively light.¹⁰⁴ Typically, the clandestine importation of stimulants by sea involves South Korean fishing vessels which have been chartered by drug trafficking groups for such activity. In other cases where the drug consignments are landed at local ports it is the crews on local trading vessels which are responsible. Figure 5.12 presents a pie chart depicting the roles of the various modes of transport and methods of concealment used in maritime stimulant smuggling to Japan. Usually, the flags of registry of the vessels involved are those of South Korea and Taiwan.

Figure 5.12 Maritime Modes Of Drug Transport And Concealment In Japan.



Detailed information on the importation of cannabis to Japan is sparse. As was established earlier, it is theorized that cannabis ac-

counts for somewhere between 48.6 - 65.5% of the total quantity of illicit drugs imported by sea. When translated into actual quantity it means that somewhere between 1.2 - 1.8 m.ts. of cannabis may have been imported by sea during the years 1981 - 1985. Though the sum of national cannabis confiscatures for this period (1.19 m.ts.) does not completely validate the range offered it comes extremely close to the lower parameter such that it can neither be discounted. Further support for the range is derived from the fact that drug seizures represent only a fraction of what is actually trafficked. Hence, it may instead be said that the range represents a likely volume of maritime cannabis smuggling overall during the period referenced. Because Japan produces a fair amount of cannabis and the air sector plays a more significant role in cannabis importation than is observed elsewhere, it is not unreasonable to presume that maritime seizures of cannabis may only account by weight for between 25 - 50% of national cannabis confiscatures for any chosen timeframe. What is definite is that the principal type of cannabis imported to Japan is marijuana. Unfortunately, no data is available on the departure points and sources for cannabis imported by sea to Japan. It is believed that the Philippines, Thailand and India are the prominent sources for the cannabis so imported. Instead of discussing the roles of various Japanese seaports as points of entry for illicit drugs Table 5.12 summarizes their involvement.

The final point to be noted concerning Japan is its role as a transit state. Both Canada and the U.S. believe that Japan functions as a trans-shipment point for drugs emanating from Southeast Asia, in particular heroin but also marijuana. Japan's high level of trade with both Southeast Asia and North America means that it is in an excellent

Table 5.12 Japanese Seaports Effecting Drug Seizures, 1980 - 1984.

Seaport	1980	1981	1982	1983	1984	Total	% Share
Funabashi	0	0	0	1	0	1	2.3%
Hakata	0	1	6	0	0	7	16.3%
Kagoshima	1	0	0	0	0	1	2.3%
Kaizuka	1	0	0	0	0	1	2.3%
Kobe	3	2	0	0	1	6	14.0%
Mizushima	1	0	0	0	0	1	2.3%
Nagoya	0	1	0	0	0	1	2.3%
Osaka	0	2	2	1	1	6	14.0%
Shimonoseki	1	6	0	1	0	8	18.6%
Tokyo	0	0	1	1	0	2	4.7%
Toyohashi	0	0	0	1	0	1	2.3%
Tsushima	0	0	0	1	1	2	4.7%
Uno	0	2	0	0	0	2	4.6%
Yokohama	1	0	0	1	2	4	9.3%
Other ports (7)	0	0	0	0	0	0	-
TOTALS	8	14	9	7	5	43	100.0%
Source: NPA, <u>Drug Problems In Japan 1985 - Statistical Data</u> (Tokyo, 1985), p. 3. (Table revised by author.)							

position to serve as a transit link through which drugs may be exported from the source areas and refining centres to North American consumers. The high level of commerce means there is a constant flow of maritime traffic on which to transport drugs. Furthermore, the routing of drug consignments through Japan permits the traffickers to either mask or obscure the true origin of their drug-laden cargoes before arrival at the destination ports. This is accomplished in one of two ways. Imprimis, passively, by simply having their drug shipments transit Japan the smugglers hope that the customs inspectors in North America will give less attention to the drug-laden ships and cargoes arriving from there.¹⁰⁵ This is because Japan is not seen as a prominent drug country. Secondly, actively, by deception involving either alterations to bills of lading or shifting of the drug consignments from one concealment site to another while temporarily present in Japan. The reason is the same as that just given previously. Legitimate cargoes of

Japanese origin commonly receive less attention than cargo consignments which show their origin to be other countries in Southeast Asia.

Notes And References for Chapter V.

1. Between the years 1986 and 1988 the author conducted a survey of the drug scene in the OECD community with the questions being put to officials within the pertinent agencies and departments. The range elicited (8 - 12%) represents the amalgamation of their replies and views. However, in no way is it to be construed as definitive parameters to the interdiction ratio.
2. See: House of Commons, Home Affairs Committee, Misuse of Hard Drugs, Minutes of Evidence - 27 March 1985 (London: HM Stationery Office, 1985), p. 34.
3. Finnish Board of Customs/Central Criminal Police (data obtained in interviews with officers of respective agencies in Helsinki on 27-28 February 1987).
4. G. S. Kavallaris (interview with Commander, Hellenic Coast Guard in Piraeus on 18 April 1988).
5. Ibid.
6. T. K. Smith, "Warning: Cigarette Use by Crooks Now Is Hazardous to Their Wealth," The Wall Street Journal [1986 - precise date is unknown] (New York), p. 1.
7. Ibid.
8. Bundeskriminalamt, Drug Transports By Sea [Doc. EO11-2] (Wiesbaden,

- 1987), p. 11.
9. Ibid.
 10. Ibid, p. 3.
 11. Ibid, p. 4.
 12. Ibid, p. 12.
 13. Ibid.
 14. Ibid, p. 8.
 15. Ibid, p. 9.
 16. Ibid.
 17. Ibid, p. 12.
 18. P. Keel, "Cocaine plot 'conducted from jail cell'," The Guardian, January 27, 1989 (London), p. unk.
 19. A. J. van Doorn (interview with Deputy Head of the Narcotics Branch, National Criminal Intelligence Service of the Netherlands in The Hague on 10 February 1988).
 20. Ibid.
 21. Ibid.
 22. Ibid.
 23. Ibid.
 24. NDIU, "International News," Drugs Arena, No. 3 (London, 1986), p.
 - 25.
 25. Ibid.
 26. Ibid, p. 26.
 27. ADA, Annual Report 1985 (Bruxelles, 1986), pp. VII/1-7.
 28. Ibid.
 29. NDIU, "International News," Drugs Arena, No. 3 (London, 1986), p.
 - 26.
 30. HM Customs & Excise, Drug Seizures Statistics 1986 (London, 1987).
 31. Ibid.
 32. Ibid.
 33. Data is derived from La Douane Francaise, Saisies De Stupefiants Achemines Par La Voie Maritime De 1981 A 1987 (Au 31 Aout) (Paris, 1987), Tables for years 1981 - 1987.
 34. Ibid.
 35. M. Le Reste, (interview with France's Customs Attache to the U.K. in London on 29 January 1988).

36. "La Brigade De Recherche De Nice," La Vie de la Douane, No. 205 (1987), pp. 48-53.
37. M. Le Reste, op. cit.
38. Ibid.
39. La Douane Francaise, op. cit.
40. Marc Le Reste, op. cit.
41. Ibid.
42. HCG, Drug Seizures 1987 (Pireaus, 1988).
43. G. S. Kavallaris, op. cit.
44. Ibid.
45. Ibid.
46. Ibid.
47. RCMP, NDIE 1983 (Ottawa, 1984), p. 31.
48. G. S. Kavallaris, op. cit.
49. RCMP, NDIE 1983 (Ottawa, 1984), p. 31.
50. Figures calculated by author from data found in the Ministero dell'Interno's Attivita' Antidroga Delle Forze Di Polizia Nel 1985 (Rome, 1986).
51. Ibid.
52. RCMP, NDIE 1984/5 (Ottawa, 1985), p. 64.
53. "Italians expel Syrian envoys," The Times, April 19, 1986 (London), p. 7.
54. Ibid.
55. NDIU, "Portugal," Drugs Arena, No. 7 (London, 1989), pp. 21-22.
56. M. A. Fernandes (interview with Police Inspector of Seccas Central De Investigacas Do Trafico De Estupefacientes, Policia Judiciaria in Lisbon on 23 November 1987).
57. Ibid.
58. Ibid.
59. Ibid.
60. Ibid.
61. DEA, "Opiates Review 1984," Quarterly Intelligence Trends, Vol. 12, No. 2 (1985), pp. 20-28.
62. A. Arda (personal communique from First Secretary of Turkish Embassy in London dated 17 February 1987).
63. T. Fyhn (interview with Assist. Chief of Police, Politikammer in

Oslo on 8 December 1988).

64. O. Weckman (interviews with Chief of Narcotics Div., Finnish Central Criminal Police in Helsinki on 27-28 February 1987).

65. T. Fyhn, op. cit.

66. This figure (90%) is obtained from official sources but they will not endorse it as correct, either officially or publicly.

67. T. Fyhn, op. cit.

68. Ibid.

69. Ibid.

70. Ibid.

71. Calculated by author from statistical tables produced by the Finnish Board of Customs titled Huumausainetakarvareköt Eri Liikennemuotojeu Yhteydessä v. 1985 & 1986 (Helsinki, 1986 & 1987).

72. Ibid.

73. Narkotikasituasjoneu I Island 1987 (Reykjavik, 1987), p. 14. [Text translation by B. R. Aune.]

74. O. H. Kristmundsson, Ulovlige vanedannende- og narkotiske stoffer i Island (Reykjavik: Justisdepartementet, 1986), p. 101.

75. Ibid, p. 102.

76. RCMP, NDIE 1986/7 (Ottawa, 1987), p. 52.

77. In 1981 maritime seizures of methaqualone and other psychotropic substances totalled over 6.7 m.ts.

78. Canadian Customs & Excise, 1986 Drug Report (Ottawa, 1988), p. 40.

79. Figure calculated by author from data contained in the Canadian Customs & Excise's 1985 Drug Report (Ottawa, 1986), 1986 Drug Report (Ottawa, 1988) and 1987 Drug Report (Ottawa, 1988).

80. U.S. territory as used here includes the 48 contiguous states, Alaska, Hawaii, Puerto Rico, the U.S. Virgin Islands and all coastal waters extending up to 12 miles offshore (the outer limit of the contiguous zone prior to 1988). However, because of the U.S.'s unique extension of customs waters to vessels on the high seas, under special circumstances, all seizures effected thereon which are incorporated into the annual U.S. seizure statistics on illicit drugs shall be construed for the purposes of this chapter to have occurred within U.S. territory.

81. NNICC, The NNICC Report 1987 (Washington, D.C., April 1988), p. 54.

82. USCG, General Law Enforcement Digest Of Interdiction Statistics of

- 16 January 1987 (Washington, D.C., 1987), p. 18.
83. NNICC, NIE 1984 (Washington, D.C., 1985), p. 32.
84. P. Bensinger, "Coast Guard Drug Law Enforcement," (prepared statement presented by DEA Administrator in hearings before the Subcommittee on Coast Guard and Navigation of the Committee on Merchant Marine and Fisheries, House of Representatives, 96th Congress, 1st Session on H.R. 2538 in Washington, D.C. on 28 March 1979 and in Key West, Florida on 3 July 1979 [Serial No. 96-20]), p. 46.
85. USCS, Customs U.S.A. 1984 (Washington, D.C., 1985), p. 14.
86. The lack of complete data results from the fact that different agencies and departments within the U.S. are responsible for drug interdiction depending on how the drugs are shipped and where detected. The US Coast Guard, as the name implies, defends the coastal and territorial waters of the U.S. It effects the majority of drug seizures therein. Except for a special program explained shortly, the US Customs Service defends the frontier (borders) as commodities physically land on the shore and in ports. Consequently, it effects a majority of the drug seizures dockside from cargoes and ships. The problem from the data perspective results from the fact that the USCS is either not collecting or not releasing the data on flags of registry found involved; thus prohibiting an overall analysis being assembled on the flags of commercial carriers found involved in drug trafficking. To elaborate on the exception referred to above it has to be stated that the USCS has initiated a special 'Marine Program' where it participates in coastal surveillance via the use of patrol craft. However, the vessels acquired are limited both in range and durability and confined to the nearshore waters. The aircraft used offer better range but lack interdiction capability in the true physical sense.
87. USCG, op. cit., p. 9.
88. Ibid.
89. I. M. Shack, "A U.S. Perspective on The Maritime Dimension of Illicit Narcotics Smuggling in Mare Narcoticum" (M.Sc. thesis submitted to the London School of Economics & Political Science, London, 1985), p. 18.
90. USCG, Law Enforcement 'Blue Book' of 24 October 1986 (Washington, D.C., 1986), p. A-5.

91. Ibid, p. A-12.
92. I. M. Shack, op. cit., p. 19.
93. Ibid.
94. Ibid.
95. JCNSWTF, Security Of Wharves And Containers (Canberra: Australian Government Publishing Service, 1985), pp. 240-260.
96. Ibid.
97. AFP, Illicit Drugs In Australia - Situation Report 1985 (Canberra, 1985), p. 31.
98. Royal Commission of Inquiry into Drug Trafficking, Report, February 1983 (Canberra: Australian Government Publishing Service, 1983).
99. The origin or departure point for drugs shipped by sea to Australia was established 56.9% of the time based on weight for the period 1982 - 1986.
100. NDIB, Overview Of The New Zealand LSD Situation 1/1/86 - 31/3/87 (Wellington, 1987), p. 4.
101. The figure is caculated by the author from percentage estimates on the role of the maritime sector in stimulants importation given in the NPA's annual report titled Drug Problems In Japan (see select years and issues).
102. Based on weight the sources of the drug were established 74% of the time.
103. NPA, Drug Problems In Japan 1982 (Tokyo, 1982), p. 8.
104. NPA, Drug Problems In Japan 1984 (Tokyo, 1984), p. 6.
105. NPA, Drug Problems In Japan 1985 (Tokyo, 1985), p. 23.

VI. THE ROLE OF ORGANIZED CRIME.

6.1 Synoptic Overview

A principal facet of the maritime drug trade alluded to in the preceding pages but never elaborated upon is the organizational component. Commonly, the phrases "organized crime" and "criminal conspiracy" are used to define those illicit activities which involve a number of individuals operating in tandem and within a management structure of hierarchial character. Unfortunately, the use of these phrases simplifies the reality of the character and role of organization in the drug trade. A review of the organized criminal element within drug trafficking reveals that while some of the general assumptions and preconceptions we may have of the activity derived from film, literature, media reports and police investigations are indeed valid there also exists a deeper dimension that is neither well-recognized or appreciated. Yes, it is true that groups like the Mafia, Triads and Yakuza are involved in drug trafficking. However, in many instances there is more to it with the structure of a given drug trade being very complex and transcending simple ethnocentric activities. Frequently, the basis for a drug trade and its concomitant degree of organization and structure is historical in origin and rooted in either socio-cultural phenomena or ethnic migrations. In this chapter some of the various aspects behind the organized criminal element are examined as they affect the maritime drug trade of today.

6.2 Bases For The Organizational Component

Overall, it has to be said that at least 99% of the total volume of drugs transported by sea are trafficked by individuals and groups party to or working with an organized criminal network. Though there are numerous incidences and cases of individuals transporting drugs via the maritime medium wholly on their own - that is without support of or affiliation with any group - the quantities involved range between minute and small. Nearly all such independent trafficking activity involves passengers on either cruiseships, ferries and passengers liners, or crew members on ships of all types or the owners and operators of pleasure craft and yachts. There are occasional instances where very small groups comprised of two or three individuals transport large quantities of cannabis by fishing vessel, junk, sampan and dhow independent of any organized trafficking group, but such incidences are relatively few in occurrence and, as commented upon later, it becomes questionable as to just how independent these traffickers truly are. Generally, in all the above cases the individuals have purchased the drugs outright and are serving as their own transport agents. Upon arrival at their destinations they either sell the drug consignments to drug dealers or distribute the drugs themselves. However, as stated earlier, the volume of drugs transported by sea without the benefit of nexus with and support of an organized criminal enterprise is negligible. The reasons are simple and straightforward. Imprimis, virtually all vessels aside from some of the smaller pleasure craft and regionally-constructed vessels are expensive units of transport. While there is a great dichotomy throughout the world regarding the standard of living it remains an established phenomenon that water-borne units of transport are relatively

expensive propositions absorbing a monetary input far above the average man's annual income regardless of where one may be in the world. Consequently, the funds required for acquisition of larger vessels are either derived from the collective contributions of a group or subsidized by large criminal networks. Secondly, the shipment of large quantities of drugs requires large capital outlays for such consignments. Individuals, for the most part, lack such financial resources. Even if one has the required funds for acquisition one still needs a suitable vessel which further defies the limited capital available. Alternatively, if the drugs are shipped within legitimate cargo consignments one then needs additional funds to procure the legitimate goods utilized as caches and to arrange the embarkation and subsequent reception of the drug-laden cargoes. Thirdly, most vessels of any substantive size which are to be sailed a considerable distance require a crew in order to be safely (read: successfully) operated. Therefore, a trafficker must either organize an operation involving commercial carriers to effect exportation or hire others to assist in the operation of his own vessel so acquired for the task. Regardless of the method selected the smuggling operation is no longer an 'unorganized' activity. Fourthly, no-one can hope to smuggle significant quantities of drugs by sea in a vacuum - that is without the various drug producers (not the drug producing states but the groups behind cultivation, manufacturing and refining of drugs within source countries) of a given drug trade having acquiesced to such activity. One must simply recall the geographical dimensions pertaining to drugs and their distribution. It is virtually impossible for a given drug trade to be operated by an individual or small but independent group without, at minimum, the in-

direct assistance of others involved in or behind the overall drug trade. If one does set up their own trafficking operation they will need contacts on both ends who are willing to co-operate and deal with them. This means there is an organizational component to the operation. Consequently, individual smuggling operations invariably become part of extant flow systems and in effect comprise segments in organized criminal networks. Lastly, it must be recognized that the vast majority of drug trafficking by sea either clandestinely or in freight requires the conspiratorial participation of individuals ashore at both the departure and landing points to ensure safe transit and trans-shipment of the drug loads. This again calls for an organizational dimension to the trade since assistance in the physical sense is needed to effect the exportation and importation of drug consignments. Because of the integral role organized crime plays in the maritime drug trade an analysis of the character of and degree of scale extant in the organizational structure is essential.

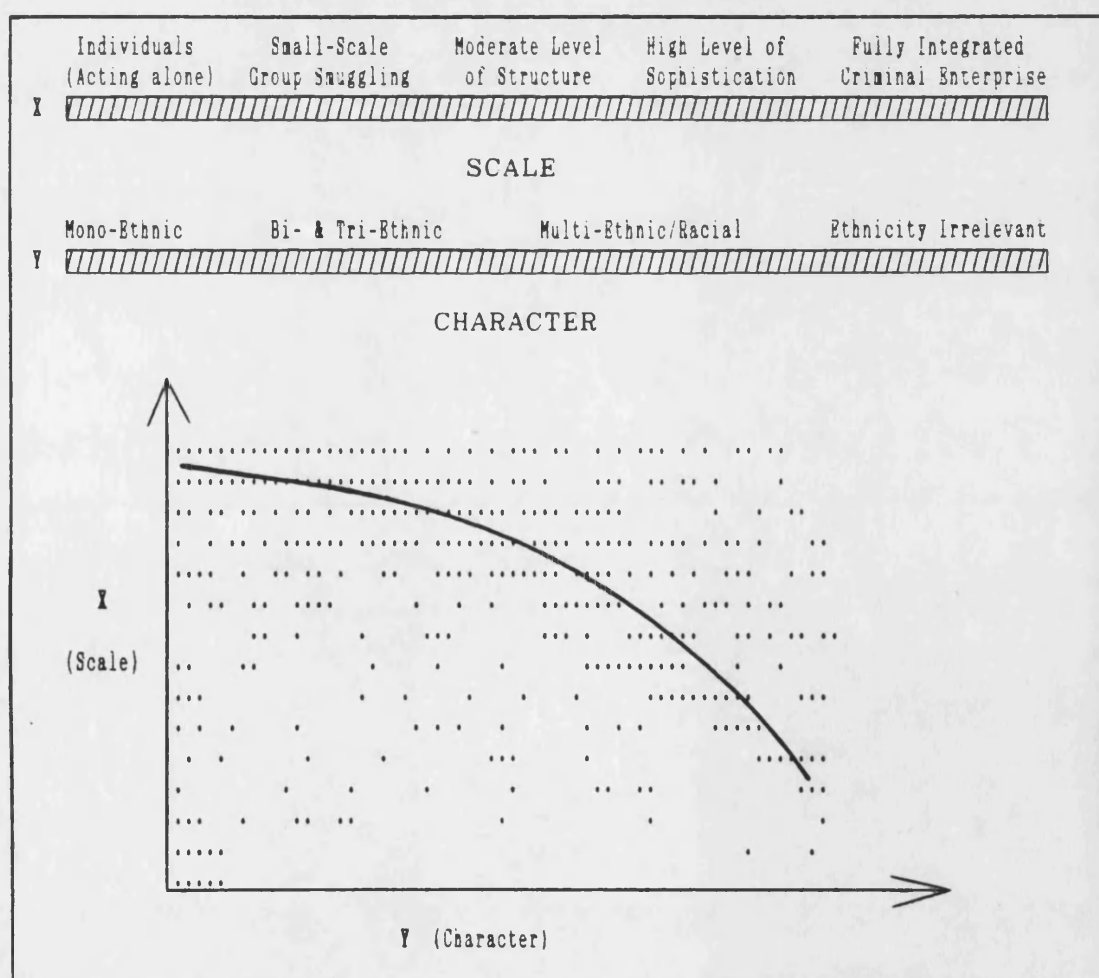
6.3 The Organizational Structure Of The Maritime Drug Trade

The degree of organization varies ranging from small-time smuggling operations, which may be either casual, frequent or constant in occurrence, through a spectrum of increasingly sophisticated and complex trafficking enterprises. The character of the organizational structure involved ranges from wholly mono-ethnic on the one extreme to a criminal entity of bi- or tri-ethnic composition in the middle to a criminal network on the other extreme which is devoid of any clear-cut ethnic and racial composition and instead functions as a streamlined machine. To clarify the latter category, one may envision it simply as a network

comprised of individuals of any and all races and ethnicities working together harmoniously for the sole purpose of ensuring the safe transit of drugs from origin to destination. *Vis-a-vis* both the character and degree of organizational structure apparent one finds that the type of drug involved and its origin does determine where along the spectrum the level of organization ranks. Because there is much diversity it is impossible to discuss all the variations extant. Instead, a fair amount of generalization is called for complemented where relevant by other formats of elucidation on the topic. In terms of associating the above spectral parameters with the actual maritime drug trade it is useful to employ a graphic device in presentation. Without explaining the mathematics involved it is possible to portray the relationship between the organizational structure and maritime drug trade in quantitative terms. Imprimis, the two spectrums of organizational structure are assimilated to be axes mounted on a coordinate plane so that an X-Y axial graph portraying a functional inter-relationship between character and scale of organization involved is created. To avoid problems in the projection presented herein no quantitative values are assigned to the axes. However, it has to be recognized that numeric values must exist in order for plotting positions to be derived. Secondly, in depicting the role of organization in the maritime drug trade one predicates the relationship on the functional inter-relationship of character and scale of organization as ascertained in maritime cases and incidences. The findings of follow-up investigations into maritime drug seizures serve as the bases by which the character and scale of organization in respective cases are established since they are the only grounds on which one may profess definitive knowledge of the maritime drug trade and its con-

comitant organizational structure. Though left ill-defined here the numeric values assigned to both the character and scale of organization yield the coordinate points from which the graph is plotted. The result is that one finds an overall trend emerging with the majority of maritime drug trafficking involving a fair level of organization linked predominantly with groups possessing definite ethnic ties. Figure 6.1 provides the graphic presentation of this analysis. It must be understood that this scattergram containing a partial linear regression is

Figure 6.1 The Role Of Organization In The Maritime Drug Trade.



only intended to be illustrative of the situation as it truly appears to be and not a precise scientific model.

Of the three main categories of drugs shipped by sea the trafficking of cocaine and heroin involves high levels of organization while for cannabis it is variable, both in character and scale, and ranges the gamut of both spectrums. This dichotomy between drug categories results from a number of factors which need to be examined individually as they apply to a category. However, it is worth observing that more than anything else it is the high potency factor of both cocaine and heroin resulting from the refining process combined with high levels of addictive demand for them which attracts the high level of organized crime to these trades. The interdependent relationship of these two factors leads to these substances possessing high unitized values which in turn means they generate greater profits for those engaged in drug smuggling.

6.3.1 Organization In The Cocaine Trade

Of the three principally traded drugs cocaine possesses the greatest vertical organizational structure. Moreover, in terms of production, wholesale distribution and international trafficking it displays the most controlled flow matrix extant in the drug trade overall. As elaborated upon in a detailed article on the subject in The Wall Street Journal in 1986 the cocaine trade "has moved away from its entrepreneurial origins" more than a decade ago when it was nothing more than "a haphazard cottage" activity and become an "industry" that is "relatively stable and dominated by a few well-entrenched giants."¹ It is South America's "'only successful multinational industry'."² A prime factor for this predicament is the fact that cocaine is a refined sub-

stance which essentially has only one origin point - the Andean region of South America. This means the cocaine market can be easily manipulated and controlled provided one of the two following provisos exist: imprimis, the various groups and individuals in control of the source area exercise a strategy of production and marketing based on an oligarchic structure such that there exists an overall monopolistic character to the trade or, secondly, that the majority of such activity is in the hands of one group or individual whom can therefore establish the market and thus dictate the level of activity and structuralization of the trade. In reality it appears that both situations are manifest, but that the latter arrangement is the overall market regulator. Several cartels exist when one examines Bolivia, Colombia and Peru collectively. However, it is generally believed and stated as fact by the US DEA that the Medellin Cartel of Colombia controls 80% of the overseas cocaine market.³ Resultantly, this group is deemed the "world's largest cocaine ring."⁴ With such a market structure flexibility and volatility in both competition and pricing is significantly reduced. Another factor reinforcing the need for a high level of organization in the cocaine trade is the refining stage. Because cocaine refining requires precursor chemicals for the synthesis process which are generally unavailable locally and becoming increasingly controlled it inherently means a concerted effort at acquisition is needed. Basically, only organized groups with the concomitant financial bases and capacities for inducing conspiracy can effect the refining process. A third factor of importance is that in exporting cocaine out of South America the methods of shipment and modes of transport employed along with the routes utilized often include intermediate stops in other Central and South American

countries where conditions across the spectrum from culture to politics are congruous to those extant in the source areas and refining centres. This latter dimension permits the introduction and rapid manifestation of an organized criminal enterprise to these outside areas with relative ease. Once entrenched it becomes more difficult for law enforcement agencies to break up the organizational structure. Lastly, as mentioned earlier, the cost of producing cocaine combined with the exorbitant cost of transport resulting from the high risk factor elicited by the threat of interception essentially means there must be an organized conspiracy behind the trafficking component of the trade if one is to be assured of a steady and viable presence in the marketplace. It is germane to observe that the committed efforts of the opponents of the cocaine industry - that is the law enforcement agencies of the affected states - promote the need for organizational structure in the cocaine trade if the latter is to survive and flourish. Success in this industry is only attained through coordination and conspiracy in subterfuge which means that organized crime is a necessary aspect of operation. *Vis-a-vis* the maritime sector these factors have determined that the portion of cocaine shipped by sea is conveyed under the auspices of an organized trafficking group. Consequently, as revealed in the preceding chapter, the vast majority of cocaine exported by sea is concealed within or disguised as legitimate cargo and involves either a crew or dockside conspiracy, or it is shipped clandestinely along a structured flow route involving a segment of the overlord cartel. Alternatively, it may be representatives of the distribution organization in the consumption areas which assume the task of importation via the latter method of smuggling.

6.3.2 Organization In The Heroin Trade

The heroin trade, like the cocaine trade, is a heavily controlled enterprise operating as a developed industry albeit an illegal one. The difference is that there is more than one source area and competition is commensurately more developed. With heroin there are four general source areas - the Golden Crescent, the Golden Triangle, Lebanon and Mexico - each of which in itself comprises a trading bloc composed of several trafficking groups which are in competition both within their respective areas and internationally. The two factors which to varying degrees negate the competition for market shares on the international level are geography and history. The proximity of source areas to select consumer bases and the entrenchment of traditional patterns of drug trafficking are fixed factors which simply by virtue of their existence means they have an effective role. Examples of the geographical dimension are the importance of Mexican heroin solely to the US drug market and the prevalency of Pakistani heroin in northern Europe while Lebanese and Iranian heroin are more common in southern Europe. An example of the historical basis is the pervasive presence of Golden Triangle heroin throughout Southeast Asia and abroad as a result of the opium period and subsequent dispersion of ethnic Chinese throughout the world. This means that any review of the heroin trade and its concomitant organizational structure should be segregated by source region with analysis focusing on the pattern of heroin outflow from one chosen area at a time. On the compartmentalized level one then finds that a rather vertical organizational structure exists with cartels in control of the production, wholesale marketing and international trafficking of heroin. These regional cartels generally manage to co-exist with each

other so long as they remain tempered in their greed. However, this does not mean the situation is likewise at the retail end of the trade. In the marketplace these regional cartels often are in conflict as a result of competition between each other and with the marketing arms of cartels operating from other source blocs. It must be observed that this conflict may not necessarily take place between the cartels directly, but indirectly via their trafficking intermediaries, distributorships and marketing affiliates in the consumer countries. This tense competition mandates the existence and entrenchment of a well-developed organization if a particular cartel is to fend off threats to its flow routes and assure itself of a viable presence in a given retail market. The net result of all this is that the global heroin trade is a more balanced affair which, to a reasonable degree, keeps itself in order. On the one hand, there is a certain degree of price stability within a given cartel-dominated sector of the marketplace. Conversely, on the other hand, one observes some degree of price differential or volatility between diverse sectors of the marketplace due to different cartels and source regions serving the various sectors. Furthermore, alternate suppliers are readily available to take up the slack where necessary. The net outcome is that no particular source region can alone determine the world trafficking scene.

Aside from the above difference most of the other points noted concerning the cocaine trade apply here as well. The primary factor nurturing the entrenchment of organized crime within the heroin trade is the high unitized value of the drug. A result of the cost of refining, the intrinsic potency factor and the established consumer base created through addiction is the high profit the drug yields on relatively small

bulk. As with cocaine the refining process requires precursor chemicals to act as catalytic agents in purifying the heroin. These chemicals are not easy to obtain freely without the benefit of conspiracy in acquisition. Furthermore, the refining process requires laboratories, which need protection, and a fair degree of logistical support. This means an organization is needed if such activity is to be successfully sustained. Another important factor supporting the need for organization in the heroin trade is the routing of the flow paths through transit states. In order to assure the safe flow of the finished product (heroin) and refinement of crude opiates (opium and morphine) trustworthy individuals and groups are needed in the transit states and refinement centres to assume responsibility for the heroin's presence therein and oversee transit of the drug. This requires co-operation and coordination between the factions involved along a given route thus assuring that there is an organized enterprise behind the trade. Lastly, *vis-a-vis* the maritime sector the same trends in shipment observed with cocaine exist for heroin but with a notable difference. Marine cargo is the predominant mode by which heroin is shipped by sea intercontinentally and inter-regionally. This means that shore-based conspiracies constitute a significant element in any organization's involvement in the smuggling of heroin by sea. Clandestine trafficking using private vessels, on the other hand, tends to be confined to the maritime regions either adjacent to the source areas and exporting ports or within the source regions. Resultantly, most of the heroin shipped by sea to northern Europe, Canada and the U.S.A. from source areas other than Mexico travel in containerized cargoes and involve shore-based conspiracies. Conversely, for the countries and transit states border-

ing a sea within or in proximity to a source area local trading craft and private vessels play an important role. In this case the operators of the vessels are themselves party to the organization either directly or through co-operative association. This form of organizational trafficking is particularly prevalent in the South China Sea, Arabian Sea and eastern Mediterranean. On these seas the maritime heroin traffickers are part of a network either engaged in regional distribution of the drug or serving as the initial agents of transport in the long-haul trafficking routes by carrying the heroin to trans-shipment sites. Ships' crews of commercial carriers are a third noted method of heroin smuggling by sea. In this instance the crew member is either a member of the overlord organization or has been coerced or lured into the role of heroin smuggler by the organization. Though need of a dockside conspiracy for landing the drug is negated there is still need for a land-based conspiracy since the heroin shipment needs to be received and distributed - something a sailor off a ship in port for a few hours cannot do.

6.3.3 Organization In The Cannabis Trade

The character and degree of organizational structure extant in the maritime cannabis trade can only be minimally described herein. The analysis given will be fleeting in context and only elaborate to the extent necessary to identify the principal differences in organizational structure between the cannabis trade and that of the previously discussed substances. Because cannabis is the drug most widely shipped by sea, in theory the degree of organization operative in the trade should be the organizational structure most utilized in the maritime drug trade

overall. Unfortunately, the diversity extant in the cannabis trade negates the theorem of one clear-cut organizational structure predominating over the others. One of the principal factors distinguishing the organizational structure behind cannabis trafficking from the other drug trades is the multitude of source areas. Instead of there being one principal area of origin as with cocaine or a handful as with heroin there are a number of such pinnacles. Emanating from these many points are a number of flow routes leading to a number of different consumption sites. In terms of bulk flow the number of origin points is eight. For each of the eight sources one finds different organizational structures in operation. Complicating the matter is the fact that more than one method of maritime cannabis smuggling exists in a given trade with each mode possessing a separate and different organizational component behind it. When conceptualized as a schematic the organizational dimension looks like a complex matrix or web of flow routes originating from eight separate points. Although there is an array of options by which a cannabis trafficking operation may be organized ranging the gamut from fully integrated on the one extreme to nearly unstructured on the other extreme the bulk of cannabis shipped by sea falls into one of two categories. Imprimis, there is the integrated organization which is responsible for the bulk production, wholesale marketing and international trafficking of the drug. It oversees the shipment of the drug by sea either directly or through affiliate groups. The cannabis shipments are generally large on the order of 300 kgs. to multi-ton consignments and are shipped either concealed within or disguised as freight on commercial carriers or transported clandestinely on private vessels specifically acquired for that task. The degree of organizational par-

ticipation is high and virtually always involves shore-based conspiracies both in the ports of departure and arrival of commercial shipping and in the cases of clandestine importations utilizing motherships. Mothership operations in particular are highly organized since the entire crew is involved and the rendez-vous arrangements (with the landing craft) need to be synchronized. The covert trafficking of Colombian marijuana to the U.S.A. and Lebanese hashish to both Europe and North America exemplify this trafficking arrangement. The second principal method of cannabis smuggling by sea also involves organization, but on a simpler scale and usually without the participation of the overlord organizations in the respective production areas. The latter do, however, tacitly assist in that they provide the cannabis loads. In this situation the maritime traffickers are either independents which, in essence, are freelancing in the drug trade or they are intermediary groups and organizations functioning solely as transportation agents or they are part of the distribution organizations in the destination states which have undertaken the responsibility of transporting the drug themselves. The actual transport of the drug is generally effected via the clandestine mode of trafficking using private vessels.

It is important that it be understood that the cannabis trade is often fractionated with separate groups and organizations handling different aspects of the trade. Contrary to the hard drugs where all aspects of the trade from cultivation to retail marketing are often in the hands of a singular criminal organization, the diverse competition in the cannabis market not to mention low profit margin fosters disenfranchisement of the trade and permits the involvement of many organizations and groups of unequal structure and status. To clarify fur-

ther on the second method and its concomitant organizational structure it is best to visualize a given flow route as a line segmented into parts - each of which is regulated by a separate organization. These line segments, however, are connected because the various groups involved co-operate with each other.

In addition to the factors noted above it must be remembered that cannabis is a drug which upon conclusion of cultivation is in marketable form. Except for the production of hashish oil and hashish resin cannabis does not require processing or refinement. This eliminates the need for an elaborate organizational component for such activity. The upshot of this aspect is that the drug can directly enter the trafficking stage and marketplace via any group organized to undertake such activity. The overlord organization in the cultivation area can, if they so desire, reduce their exposure to the risks associated with their enterprise by concentrating on the facet of the cannabis trade most vital - production. Instead, the distribution groups in the OECD states, smuggling organizations specializing in drug transportation and freelance operators assume the risks. Because payment is usually demanded upon delivery of the cannabis to some designated point of exportation where the pick-up is made the overlord organization realizes their profit on the drug safely. Furthermore, because cannabis is a relatively inexpensive drug which grows rampantly where given the opportunity and is deemed a relatively innocuous substance by several states there is a concomitant degree of less rigorous law enforcement initiative against the trade, particularly in countries where the state's financial resources are limited. This means the level of organization required can be more informal in many areas with a portion of the actual

trafficking of cannabis in the hands of anyone desiring to participate in the activity. For the overlord organizations this can prove beneficial since the structure of the trafficking stage may involve many independent smuggling enterprises which collectively overwhelm the law enforcement agencies responsible for combatting the drug trade based on systematized counter-trafficking offensives.

Lastly, the diverse and variform structure of the trade results in a concomitant diversity in the ethnic composition of the groups involved. Usually, there will not be a mono-ethnic organization overseeing the flow of cannabis from site of origin to consumer marketplace. The multi-ethnic composition of the groups found along a given route generally disallows the formation of cohesive organizational structures of the kind seen in the cocaine and heroin trades. This aspect stems from an observed sociological phenomenon centering on the subliminal distrust and disdain extant between select ethnic groups when brought in contact with each other over sensitive and nefarious matters (eg. Colombian and Cuban drug groups). In the cocaine and heroin trades this is avoided by the fact that there is usually one ethnic group in charge of a route from origin to consumption site.

6.3.4 Organization In The Trade Of Other Illicit Substances

Without elaborating on all the variform aspects of organization present in the trades of other narcotic drugs and psychotropic substances let it simply be accepted that in the majority of cases involving some bulk these drugs are conveyed along organized conduits. Where the shipments are large the degree of organization behind them is commensurately better developed. The bulk shipments of diazepam and

methaqualone from Europe to North America and the Middle East are exemplary of this as are the larger shipments of opium and morphine between points in the Far East. Generally, concealment within or disguise as cargo is the method most often employed for effecting the bulk shipment of psychotropic substances. Conversely, the many instances of maritime trafficking involving minute to small amounts of these substances are often unorganized and involve individuals acting on their own. Ferries and other passenger craft are the vessels frequently utilized. The trafficking of amphetamines by sea into Scandinavia is typical of this dimension of the trade. For the most part there is no formal overlord organization manipulating the trade in a given substance of this category. Relatively-speaking, the quantities smuggled by sea are small and the sources diverse. On the one hand competition is abundant, but on the other hand it is weak because the various sources of these drugs tend to have fixed markets that do not overlap - at least not significantly to warrant the strong entrenchment of rigid distribution networks in those marketplaces. Even though some of the substances may have high unitized values, their limited circulation resulting from the small quantities involved and stiff competition from cocaine and heroin negates the development of complex organizational structures in the maritime component of their respective trades. Commonly, the actual production and distribution of some of the psychotropic substances is handled by groups which are on the fringes of mainstream society. Thus, the drugs become confined in circulation to consumers whom either adhere to the fringe groups or are willing to indulge in some of the latter's activities inclusive of drug ingestion. Lastly, it is germane to observe that many of the psychotropic substances in illicit circulation

are manufactured in several of the OECD states without the need for external assistance and materials. Consequently, the need for transporting these substances by sea is diminished since the many markets are self-providing. Furthermore, because several OECD states share common land borders the overland modes of conveyance are generally employed for trafficking the drugs where such activity is demanded.

6.4 The Ethnographic And Anthropological Factors

Several of the criminal organizations behind the current drug trafficking networks owe their existence to either traditions in criminal behaviour, historical patterns of migration and dispersion of given ethnic groups, colonialism or territorial occupations of given areas in the past as a result of war. All of the principal globally-integrated criminal organizations extant today had their origins in the family and communal associations nurtured at the local level.⁵ The cultural and familial ethics extant allowed the primitive groups to enforce a code of conduct and secrecy essential to countering threats from law enforcement initiatives.⁶ The character and behaviour of a fair portion of the populace of Sicily is a clear example of the modern continuation of the cultural and communal manifestation of such a code. The basis for the movement of a portion of a population of a given ethnicity from their indigenous locale to new areas, regions and sites far removed may have been forced or unforced. This aspect is relatively unimportant. What is important is that the actual migration formed socio-cultural networks spanning not only regions but the globe thus bridging the physical geographical schisms extant between the origin area and transposed members of the given ethnic group. Because some of these

ethnic groups either originated from areas historically noted for drug consumption or possessed an inbred acumen for enterprise and entrepot activity regardless of its legitimacy and social and physical decadence, the linkages established became conduits by which drugs could be transported to the new areas. The maritime sector became significant because at one time it was the sole method of economic long-distance transportation. As has been discussed in Chapter IV the maritime sector retains its prominent role in transportation though perhaps not in the case of passenger carriage. Furthermore, the physical geography of the world is virtually unchanged from that of previous millennia. Consequently, the incorporation of the maritime sector in drug trafficking based upon ethnocentric migrations was inevitable. The best examples of this are the extensive involvement of ethnic Chinese groups in the drug trade throughout the world and the well known activities of the Italian crime syndicates. Regrettably, the accounts of ethnic-driven criminal organization which many of us have obtained from fictional literature, film, media reports and prejudicial investigations by law enforcement bodies are often distortions of the true picture of the situation. Because of space constraints only a few of the many ethnic groups involved in the drug trade are examined and then only cursorily. They have been singled out because of their extensive involvement in the international drug trade inclusive of the maritime component and the degree to which they exemplify, in whole or in part, the various historical and sociological foundations behind ethnically-oriented trafficking. Naturally, if one were to consider every cultivation and production site, transit locale and consumer marketplace extant one would find a congruous number of ethnic groups involved. In addition to

those elucidated upon herein other prominent ethnic groups engaged in drug trafficking include Indians, Iranians, Lebanese, Moroccans, Nigerians and Sri Lankans either in the primary stage or in a subservient role to another ethnic group. As already stated, to a large extent the category of drug trafficked in a given trade determines the ethnic composition of the smugglers and their organizations. The impact a given drug has on ethnic groups into which it intrudes while traversing its flow routes from origin site to marketplace, regardless of whether ephemeral, incidental, or purposeful, combined with the innate aggressiveness, receptiveness or vulnerability of select groups towards illicit economic venture results in the creation of an attractant force by which some members of these ethnic groups are readily drawn into drug trafficking.

6.4.1 The Role Of The Ethnic Chinese

Today, much of the heroin exported from the Golden Triangle is refined, trafficked and distributed globally by ethnic Chinese drug rings. Though it is often stated that the Triads are the element within the ethnic Chinese group responsible for such activity there are those who question the extent of Triad involvement; among these are the US DEA.⁷ The current involvement of ethnic Chinese in the heroin trade has its roots in the historical experiences which both China and the expatriate Chinese communities in other areas of Southeast Asia had with opium. The other crucial factor which comes into play is the strong acumen the Chinese possess for commercial and entrepot activities. Additionally, the effects of colonialism both in the colonial era and post-colonial period need to be considered. The early migration and

dispersion of the Chinese community throughout Southeast Asia had assured that the opium experience was not confined to China alone but received throughout the former region. When the Chinese moved further afield notably southward to Australia and then eastward to Canada, the U.S.A. and eventually Mexico they carried with them their affinity for both opium and enterprise. Because the transposed groups encountered a considerable amount of discrimination and poor living conditions they resorted to insular social behaviour and relied on the methods and practices of association and recreation prevalent in their homelands. This is how opium use spread to these countries and why trans-Pacific trade in the drug developed to the large extent that it did in the late 19th and early 20th centuries. Subsequently and inevitably, the indigenous and extant populations in Australia, Canada and the U.S.A. were introduced to the use of opium with some part of them taking up consumption of it. Though the Chinese are involved in the European heroin scene today the basis for it is somewhat different from that just described for North America and it developed more slowly. One reason for the difference is the simple fact that there was always strong competition in the supply of opium from other sources. Another factor was the tendency of the European colonial powers to suppress the influx of people and their practices from the Asian colonies into the motherlands. Naturally, some people did manage to emigrate to the motherlands as immigration policies loosened up or through illegal means and establish themselves in the main urban areas, particularly in the early part of the 20th century. Hence, the bases for the early presence of Chinese communities in both Amsterdam and Paris. The links these groups kept with the Far East became conduits for drugs. The synthesis of heroin

only served to enhance the viability of drug trafficking as an economic activity once the drug became a controlled substance. An entirely new dimension in illicit enterprise for the Chinese criminal groups to engage in had been created that merely required some triggering event to realize its large-scale potential. Over time up till 1960 this activity experienced fluctuations both in level and scope. Overall, it has to be said that the trend was one of growth, consolidation in the trafficking structure and hierarchy and further entrenchment. The continued migration of ethnic Chinese to both Europe and North America in the latter half of this century enhanced this process. However, it was not until the liberalization of social values in the 1960s and 1970s and American presence in Vietnam combined with the cessation of Turkish opium production and collapse of the French Connection that Chinese involvement in modern drug trafficking escalated to a new height. Today, the participating Chinese groups control between 30 - 40% of the world heroin market since they handle the trafficking of virtually all opiate products originating from the Golden Triangle. A point of clarification required here is that production of Golden Triangle opium and either partial or limited refinement of it is mainly in the hands of the Burmese and Thai producers. However, ethnic Chinese groups effect the trafficking, distribution, wholesale marketing and, to a limited extent, retail marketing of the heroin. Currently, it is believed that "Chinese organized-crime groups" are still in a phase of emergence and in time may become the dominant force in the "heroin trade in Europe and North and South America."⁸ Exemplifying this threat is the Chinese takeover of the multi-billion dollar heroin market in New York as a result of the decline of the Italian-based Mafia.⁹ Additionally, they control 60% of

the Canadian market and 75% of the Australian market while Amsterdam is their most important transit and distribution point in Europe. Though unquantifiable large amounts of the heroin exported from the Golden Triangle goes by sea, particularly to North America.

6.4.2 The Role Of The Pakistanis

The Pakistanis constitute another ethnic group involved heavily in drug trafficking inclusive of the maritime component. Their direct involvement in the maritime transport of heroin from Pakistan directly into Europe was documented in the preceding chapter. However, the basis for their participation is different. There is no analogous historical context by which to explain their involvement as can be done for the Chinese. Instead, Pakistani involvement stems from their desire not to be mere poppy cultivators and crude heroin refiners whom are relegated to dealing with a variety of external drug trafficking groups and thus denied the maximum profit possible on their drug. The grounds for their forays into the trafficking component is to control all facets of their heroin trade starting with production at home and ending with the marketing of their product abroad. Prolific production of heroin in the Afghani/Pakistani border region is relatively recent resulting from changes accruing to the heroin market in the 1970s when Turkish opium production ceased temporarily. At first Pakistani involvement was confined to cultivation and production as other ethnic groups, either Indian, Iranian or European, handled the trafficking, distribution and wholesale marketing of the heroin produced in the Golden Crescent. But, a result of Pakistani emigration to Europe in the 1970s and early 1980s was the establishment of expatriate Pakistani communities abroad. This

meant there were then entrenched ethnic communities overseas in the marketplaces with established links to Pakistan which could be exploited to serve as conduits on which to establish and operate a full-scale trafficking operation. Consequently, the Pakistanis initiated a trafficking enterprise where they control not only cultivation and refinement but also the international trafficking of their illicit commodity, its distribution and wholesale marketing. In effect, they have established an illicit multinational enterprise in Europe which in some ways exemplifies a form of reverse colonialism over the European states. Their dominant position in the heroin markets of central and northern Europe attests to this predicament being the case. Furthermore, the Pakistanis have set their sights on North America and are slowly gaining prominence in the latter's heroin market.

6.4.3 The Role Of The Colombians

A rather analogous background to that described above for Pakistani participation in the drug trade is behind the high level of Colombian involvement in the drug trade. However, in this case two different drugs are involved: cocaine and cannabis. Today, the Colombian underworld retains a pre-eminent position in the drug trade through a combination of sophistication in operation and ruthlessness in competition. The importation of these drugs on a large scale into North America and, more recently, into Europe is a relatively new phenomenon dating back, in the case of the U.S.A., to the 1970s. It has to be said though that the integration of the Colombians in the two drug trades has varied somewhat with the cocaine trade seeing a greater level of integration. When Colombian participation first commenced their trade in both sub-

stances was fragmented, particularly that of cocaine. North American criminal organizations along with other Latin ethnic groups, notably the Cubans, handled the international trafficking, distribution and marketing of the drugs. However, as the cocaine trade rapidly grew and proved highly profitable and members of the Colombian drug rings managed to either emigrate to or infiltrate the U.S. and establish themselves the desire to control all aspects of that trade not only evolved but became feasible. By the mid-1980s sufficient linkages were in place and the Colombian drug cartels had the capital available to effect their takeover. Moreover, they had one other factor weighing in their favour - they had a captive market since there is basically only one source region in the world for the drug. The consolidation of the production and export of cocaine from South America by the Medellin Cartel in conjunction with other Colombian groups such that they regulated the market granted them the power to take control of the trade. All that was required was the resolve to effect the takeover. To date this goal has not been fully accomplished in the sense that other ethnic groups continue to actively participate in various aspects of cocaine trafficking, distribution and marketing. However, on the other hand, it has to be conceded that they operate in conjunction with the Colombians because the latter controls output and on this basis it may be said the Colombians control the trafficking of cocaine. Other ethnic groups notably involved include the Jamaicans and Panamanians. Because saturation has been reached in the North American market the Colombians have turned towards Europe as the next marketplace to develop.¹⁰ At present they are still working on establishing their own linkages therein. Hence, other ethnic groups are often involved as intermediaries in the

trafficking, distribution and marketing of cocaine. The Colombian cannabis trade is regulated by the Colombians and involvement by them is fairly well developed on all levels down to distribution in the U.S.A. However, the scope of their integration is not absolute as in the cocaine trade. They continue to rely on other ethnic groups for the trafficking, distribution and marketing of their cannabis and they do not control the US cannabis market.

6.4.4 The Role Of Joint Japanese-Korean Groups

Vis-a-vis the amphetamine trade the Japanese Yakuza operating jointly with South Korean criminal organizations account for much of the amphetamine imported into Japan. Before continuing it must be stated that the term 'Yakuza' is being used in a generic manner to collectively embrace all the various criminal organizations, groups, sub-groups and factions thereof found in Japan and of Japanese ethnicity. In actuality, there are an array of Japanese names for these groups based not only on the individuality of the respective groups but also their heirarchical ranking within the whole criminal infrastructure of Japan. Another generic term which may be used is 'Boryokudan' which translated means "gangsters."¹¹ In 1985 61.6% of all individuals apprehended for stimulant drug offences in Japan were members of organized crime groups.¹² The amphetamine trade into Japan exemplifies the close involvement possible between two or three ethnic groups for the purpose of mutual economic gain based on a fixed market. The South Koreans produce the drug and either transport it across the Sea of Japan where the Yakuza assumes responsibility for distribution and marketing or let their Japanese counterparts conduct the trafficking component as well.

On the surface the basis for such ethnic co-operation is mystifying aside from the presumption of common greed. Historically, stimulant use in Japan has been minor aside from a short period of prolific abuse following World War II. Furthermore, as a cultural group the South Koreans are said to possess something akin to inbred disdain for the Japanese as a result of Japan's former imperialistic ventures in the earlier part of this century. On the other hand, it is reasonable to presume that the years of Japanese occupation of South Korea permitted the assimilation of like-minded attitudes on the part of the Koreans in regard to economic activities and this manifest itself rather powerfully amongst the South Korean criminal underworld. Resultantly, in criminal enterprise the Japanese and South Korean groups involved see eye to eye and will co-operate where mutually conducive to earning revenue. Another factor for the structured but integrated criminal hierarchies now extant stems from the traditional socio-political regime once common in both states' histories which subtly continues to permeate their societies today. Presumably, this nurtures a mutual but subliminal respect among these two groups for each other in regard to the other's home territory which in turn means they co-operate on enterprises incorporating the other's domain though they compete strongly elsewhere. Their co-operation today in drug trafficking is merely a modern manifestation of their respective traditions in illicit activity.

6.4.5 The Role Of Italian-Based Criminal Syndicates

In discussing the topic of organized crime the role of the Mafia must be mentioned if only in recognition of their once omnipotent and widespread network. As noted in regard to the term 'Yakuza' the term

'Mafia' is a generic term embracing the many criminal groups and syndicates along with all the sub-groups and factions thereof which are composed of ethnic Italians and those of Italian descent regardless of location (eg. Canada, Italy or U.S.A.).¹³ The origin of the Mafia is complex. It basically stemmed from the communal but feudal nature of life in southern Italy in prior centuries and was introduced to North America by Italian immigrants in the late 19th and early 20th centuries. The Mafia both in Europe and North America first engaged in international drug trafficking on a large scale in the 1930s. After having initiated the trans-Atlantic heroin trade and establishing their invincible dominance in drug trafficking they sustained the activity for four decades until the mid-1970s. The involvement of the Mafia in drug trafficking continued the history of the Italian criminal groups in illicit enterprises and merely reflected a contemporary adjustment in activity. The repeal of Prohibition in the U.S.A. created a vacuum in illicit revenue generation which the Mafia quickly had to fill. The loss of one of their primary activities (alcohol smuggling) by which they had built their massive empire and extensive network necessitated rapid solution in order to sustain the organization in its powerful and elaborate form. Heroin, refined primarily from opium of Turkish origin but also from Iran, was the answer. The Mafia, therefore, quickly established ties with the Turkish and Iranian opium producers and constructed an elaborate heroin trafficking network extending from the Middle East via Italy and France to the U.S.A. and Canada. Opium in either crude form or as morphine was shipped from the source areas to refining centres in Italy and France where it was converted into heroin. Much of it was then shipped onwards to North America while a lesser amount went into

the European heroin market but notably Italy.¹⁴ At all points along the trafficking routes the Mafia had its members overseeing the transit of the drug shipments. However, it must be noted that they did not physically control opium production in the source countries. Instead, they acquired the crude product and assumed all responsibility for it thereafter. Today, the Mafia as a whole is still a strong organization to be reckoned with, but it has been diminished in stature, suffered significant losses in portions of its network and seen encroachments upon its territory. Though still well entrenched in Italy it appears to be enduring further reductions in its powerbase and network in North America as a result of ruthless competition, dedicated law enforcement efforts and generational division in the ranks.¹⁵ The decline in the Mafia's strength is perhaps best summed up in the statement that the world's illicit drug market has undergone considerable change. Where there were once few players who could usurp control over a large part of the drug trade there are now many. Another way of looking at it is that the Mafia was an early player in the global drug trade because it had the infrastructure required for operating a drug trafficking network of such dimension in place early on. Conversely, many of the other ethnic groups now involved either lacked the historical bases of traditional existence, *in situ* infrastructure and cohesive identity required for such large-scale activity at an earlier period in time or had yet to evolve or succumb to a position where a sufficient number of vulnerable individuals in a given group were drawn or forced into drug trafficking and subsequently coalesced into an ethnically-based organization.

Notes And References For Chapter VI.

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13. It is only within Italy that specific names are used to denote the Italian crime syndicates based on location (eg. Cosa Nostra in Sicily, Camorra in Napoli and Dragetta in Calabria).
14. It is said that in the heyday of the French Connection the Italian trafficking groups based in Italy had an agreement with the French criminal groups whereby the French restricted sale of their heroin exports to North America solely to the US-based Mafia in exchange for the Mafia staying out of the European heroin market. (See: J. Bacon, "Is The French Connection Really Dead?," Drug Enforcement, Vol. 8, No. 1 [1981], pp. 18-20.)
15. P. Kerr, op. cit.

VII. THE INTERNATIONAL LAW AGAINST THE MARITIME DRUG TRADE.

7.1 Overview Of The Legal Problem

On the surface the controversy over law enforcement on the sea appears to be easily explained. It is universally recognized that all littoral states possess a maritime area adjacent to their coasts and surrounding their islands within which they may exercise either complete sovereignty or selected sovereign rights depending on the zone in question. In legal terms it means that municipal law extends to the maritime medium but only out to the seaward parameters of these territorial zones. All parts of the sea beyond this mensurated limit comprise high seas and are not subject to the jurisdiction of any state save in regard to those activities of universal anathema and *vis-a-vis* flag state responsibility as codified in the Law of the Sea. This is where the problem arises. The crux of the matter concerning drug control on the sea lies enmeshed in the issue of how is maritime drug trafficking to be fought on the part of the sea beyond the territorial and thus jurisdictional limits of all states. If one may digress, momentarily, into philosophical thought it has to be recognized that of the three mediums - air, land and sea - by which transportation is effected the maritime medium is a unique natural realm which because of its historical utilization and resultantly entrenched perceptions several states yet retain over it it is the medium which is the most problematic in juridical terms. In the historical context the irony is

that the global community has had much time to debate the issue and resolve it. Yet, today, the Law of the Sea remains a rather anachronous doctrine and is bogged down in a quagmire regarding progressive changes on all levels. In resuming the analysis of the legal problem the corollary problem needs to be introduced. Debate exists over where the territorial limit actually ends and the high seas begins. While the limit is physically determined by linear measurement in practice, today, the actual limit is variable in cartographic position. This is because states disagree on the juridical interpretation of two of the zonal bands which establish the seaward boundary of the maritime area within which municipal law may apply either in whole or in part. The varipositional limits currently extant because of varying state practice exacerbates the problem of drug control on the sea by granting drug smugglers a greater areal domain within which to roam with reduced fear of apprehension. Consequently, consensus amongst states in regards to the general question of drug enforcement on the high seas is prevented. Though it has not been stated till now but nevertheless pervades the discussion is the theme of lack of coherent law regarding the sea. In reality, this is the root of the problem. If the law was clear, established and well-founded then the question of how to combat the maritime drug trade is no longer a legal one. Instead, it is one of ensuring that the law enforcement measures implemented are effectively carried out in a manner mutually acceptable to all states and which preserves the integrity of jurisprudence both domestically and internationally. Realistically, the issue becomes one of co-operation and co-ordination on the operational level once the international law is in place. As it stands now several states are constrained in their execution of effec-

tive anti-drug measures on the sea and therefore do little while other states resort to actions which, from the standpoint of international law and juridical principle, are dubious in nature, provocative in effect and illegal. What follows herein is a review of the international law and practice specifically oriented towards suppressing drug trafficking on the portion of sea construed to be beyond the territorial jurisdiction of littoral states. Because of recent developments in this field the proposed doctrines of recently concluded conventions relevant to the topic are included, where appropriate, in the analysis. As the emphasis of this treatise is on the law or lack thereof pertaining to the problem area there will be no discussion of specific national laws applicable for combatting drug trafficking within the maritime zones defined as subject to municipal jurisdiction. All states have incorporated in their municipal legislation either statutes, decrees or combinations thereof which expressly and thus legally extend their jurisdictions to their respective maritime zones in regard to criminal activities inclusive of drug trafficking. There is no ambiguity on this point *per se*. Rather, the controversy centers on their differing viewpoints regarding where their respective municipal jurisdictions end and the high seas begins.

Finally, before continuing it must be understood that in presenting the legal analysis which ensues herein the author presumes that the reader is sufficiently familiar with not only the bases behind international law, but also the systems which make it functional and the mechanisms by which it is enforced. As a passing caveat, it should be recognized that, as Harris observes, "treaties are, formally, a source of obligation rather than a source of law."¹

7.2 Conventions And Treaties Of Relevance

7.2.1 Historical Synopsis

Several international treaties relating to drug control have been ratified since the inception of the 1912 International Opium Convention.² Appendix II lists the international ones. However, not one of them specifically mentioned or indirectly incorporated the high seas within their texts nor promulgated legislation which could be construed as applicable on the waters beyond the territorial limits of states; that is until the United Nations Convention Against Illicit Traffic In Narcotic Drugs and Psychotropic Substances, 1988 (hereinafter called the 1988 Anti-Trafficking Convention) was concluded and opened for ratification.³ In retrospect, virtually all the major conventions previously drafted and adopted have constituted pieces in the jigsaw construction of an international anti-drug doctrine for the contemporary period. With the progression of time through the 20th century social change became more volatile and brisk in occurrence. Concomitantly, illicit drug use gained in prevalency and manifest itself within a number of diverse societies. The global community responded with successive codifications of anti-drug legislation and measures designed not only to address the pertinent topic which gave rise to them, but also to broaden the overall doctrine. A simple review of the titles of various conventions prior to the Single Convention on Narcotic Drugs, 1961 (hereinafter called the 1961 Single Convention) validates the point.⁴ When drafted the 1961 Single Convention was designed to serve a dual purpose. Imprimis, it consolidated the objectives and scopes of nearly all of the previous treaties under one 'package' convention hence the basis for it being called the 'Single Convention'. Art. 44 of the 1961 Single Con-

vention effected the termination of most of the earlier treaties cited therein for the contracting signatories. Secondly, apropos to that period in time (the late 1950s/early 1960s) it promulgated a new, comprehensive anti-drug doctrine which garnered a broader base of appeal throughout the global community and thus better represented international consensus on the topic. The 1961 Single Convention has retained its viability up till today though in order to remain so it required amendment and needed to be complemented by the Convention On Psychotropic Substances 1971 (hereinafter called the 1971 Psychotropics Convention)⁵ and the 1988 Anti-Trafficking Convention. These subsequent developments further attest to the hypothesis proffered earlier concerning the piecemeal assemblage of the current international anti-drug doctrine. It is germane to observe that the one pre-1961 treaty not terminated, at least not completely, is the Convention of 1936 for the Suppression of the Illicit Traffic In Dangerous Drugs (hereinafter called the 1936 Suppression of Trafficking Convention).⁶ For whatever reasons the 1961 Single Convention specifically targeted Art. 9 of the 1936 Suppression of Trafficking Convention as the only part of the latter treaty to be terminated by its entry into force (see Art. 44, para. 2.). This raises an interesting point. The 1936 Suppression of Trafficking Convention is still in force between the 37 contracting states which ratified it.⁷ Therefore, the question is why was it not subsumed in its entirety within the 1961 Single Convention. The answer is that it is a unique treaty which stands out from the rest. The 1936 Suppression of Trafficking Convention attempts to deal with what must be deemed the most important dimension of the entire drug problem - the trafficking of drugs. Unfortunately, the structure and text of the articles

were considered either too vague or too onerous for many states to adhere to much less incorporate in domestic legislation. Overall, the convention was seen at the time as one that was unrealistic and unacceptable to the prevailing law doctrines extant in most states then.⁸ However, there is another perspective to be considered. Because hindsight always grants us an insight to things which were earlier ambiguous, confusing and irrational it is only now that the 1936 Suppression of Trafficking Convention can be appreciated in a more favourable light. In retrospect, it may be said that the convention was ahead of its time in that what it attempted to promulgate, albeit poorly, was a valid idea which has now been incorporated within the 1988 Anti-Trafficking Convention. In comparing the two conventions one cannot help noticing a degree of congruity both in the objectives and texts of the provisions. Consequently, the problem with the 1936 Suppression of Trafficking Convention may have been that it projected something the world was not yet ready for. Support for this point comes from Chatterjee when he observes that perhaps the basis for the 1936 Convention's unpalatability was that it "made too enthusiastic an attempt to bring the drug traffickers to task."⁹

Because the treaties prior to the 1961 Single Convention have all been terminated in relation to the signatories of the latter save for parts of the 1936 Suppression of Trafficking Convention the analysis of convention law is limited to the modern international treaties. As a side note, for states not party to the 1961 Single Convention but party to any of the earlier agreements those conventions remain in force for them except where provisions of one supersede a previous one. Specifically, the emphasis here is on those which, directly and

indirectly, have applicability on the portion of the sea beyond the territorial and jurisdictional domains of states. Resultantly, the 1961 Single Convention as amended by the 1972 Protocol, the 1971 Psychotropics Convention as revised in 1982, the Law of the Sea and the 1988 Anti-Trafficking Convention are all analysed. Additionally, the International Convention On Mutual Administrative Assistance For The Prevention, Investigation And Repression Of Customs Offences, 1977 (hereinafter called the Mutual Assistance Convention) is examined.¹⁰ What should become apparent is that the international law repressing the trade in illicit drugs by sea is ambiguous and weak - some may say, non-existent. In order to be equitable in presentation it has to be observed that there are those who will argue that such void reflects the viability of other extant components of the composite anti-drug doctrine - namely those relying on the internal control mechanisms extant within all states. Furthermore, the adherents of the latter viewpoint will argue that the prevailing global attitude towards drug trafficking on the high seas as measured by the current status of the Law of the Sea in general reflects the maximum extent to which states are willing to openly forego the concept of the high seas as an area subject to no jurisdiction. Naturally, hypocrisy is inherent in the latter point in that creeping jurisdiction and the proposed enterprise for sea-bed mining are demonstrative of the opposite.

7.2.2 The 1961 Single Convention On Narcotic Drugs

The 1961 Single Convention entered into force on 13 December 1964 and remains the cornerstone of international legislation concerning drug control in the world today. Chatterjee provides an excellent review of

the treaty including its foundations, purpose and objectives, content and the degree to which it represents successful codification of a viable anti-drug doctrine suitable for the modern period.¹¹ However, in regard to drug trafficking on the waters beyond national control it offers little. Only two provisions specifically mandate that states combat illicit drug trafficking but neither refers to the high seas area. Art. 28, para. 3 requires states to adopt measures preventing the misuse and illicit traffic in cannabis leaf. Art. 35 requires that states endeavour to repress the illicit drug trade and co-operate with each other in doing so. Art. 36 requires that all contracting states adopt penal provisions for any drug activity contravening the law and which therefore is illicit. However, this article simultaneously recognizes the sole competency of each state in regard to drug offences occurring within its territory (see paras. 3 and 4) though it supports extradition where such is warranted and feasible. Confirmation of the non-applicability of these anti-trafficking provisions to areas beyond the territorial limits of states is found in Arts. 4 and 42 which establish the territorial applicability of the convention's provisions once adopted by contracting states. As will be observed later, there is emerging a new but distorted construance of the term 'territorial limits'. Furthermore, the 1961 Single Convention in no way modifies the Law of the Sea in regard to flag state jurisdiction. The bases for why no such provisions were included or even contemplated can only be speculated upon. Part of the answer lies in the fact that while the 1961 Single Convention is an international convention the purpose of all its provisions is to foster the adoption, implementation and enforcement of anti-drug measures by the ratifying states in respect to their legal and

penal codes as the latter apply throughout their respective territorial jurisdictions. In other words, the convention promotes consensus on the need for drug control on the global level by promulgating articles demanding harmonization and standardization in the national anti-drug laws of the world's states. However, it relies on the states to fulfill their treaty obligations. Moreover, the 1961 Single Convention itself is more an instrument which establishes the basis by which drugs are to be produced and transported to meet licit requirements as opposed to strictly focusing on the illicit dimension. It is this distinction feature of the convention which effectively gives rise to the few articles dealing with the illicit trafficking component. The specific answer as to why areas not subject to national jurisdiction were excluded presumably lies in the fact that the status of the Law of the Sea prevailing at the time precluded conscious consideration. The 1958 Law of the Sea conventions had been concluded only two years prior and the lack of clear-cut agreement on many issues of the Law of the Sea undoubtedly made the drafters of the 1961 Single Convention wary of codifying a drug doctrine which embraced a controversial issue extant elsewhere in the international arena. Furthermore, there was a sound rational and theoretical basis for not incorporating the sea within the scope of the convention. Had the convention, and the past tense is used because hindsight proves the contrary, succeeded in its purpose of getting every state to not only upgrade and standardize their municipal law codes regarding drugs but also implement and enforce with equal effectiveness their anti-drug measures, the need for international laws and measures applicable to the extraterritorial areas would be unnecessary. The theorem being advanced is that if all states actively and effec-

tively tackled the illicit drug trade occurring in their respective territories on equal footing both in the legal sense and on the operational level then, in effect, a viable international framework suppressing the trade would have existed. It, however, would be the result of common national doctrines which collectively established a global doctrine instead of the reverse being attempted. The fact that the high seas exist as a 'no man's land' beyond their territories would not matter since the interdiction gauntlets created in each state's territory which the drug traffickers would have to run either in departure from or entry into any state should be overwhelming. In reality, the 1961 Single Convention has not fully attained its objective as envisioned, thus the need for the 1988 Anti-Trafficking Convention. Several states have yet not ratified the 1961 Single Convention or its amended version.¹² Moreover, many of those which have have not effectively implemented the provisions of the convention within their jurisdictions - particularly in regard to the operational dimension. Several of the states in the latter predicament, for a variety of reasons, cannot effectively suppress drug trafficking in their territories. One has merely to look at the drug scene today to document this point. These aspects have precluded the 1961 Single Convention from being the complete anti-drug doctrine both in spirit and substance. This is not to say that it is a failure for it is not, but *vis-a-vis* drug trafficking on the sea it falls short. The reason, in summary, is that the convention was drafted in a different era when perspectives were somewhat different regarding how to best suppress the illicit drug trade on the international level and the ignorance of the drafters was supplanted by idealism and optimism for the future.

7.2.3 The Convention On Psychotropic Substances 1971

The 1971 Psychotropics Convention entered into force on 16 August 1976. In many ways it is a copy of the 1961 Single Convention in terms of purpose, objective, format and structure of the provisions contained therein. What makes it a distinct doctrine is the fact that it is not an amendment or revision of the latter convention, but embraces an entirely different category of drugs. In other words, it complements the 1961 Single Convention by bringing under control an array of drugs not regulated by that convention. The text of the Preamble to the 1971 Psychotropics Convention clearly identifies its thrust and aim. The basis for the convention being drafted was the proliferation in usage and abuse of many psychotropic substances in the 1960s during the period of social upheaval and youth rebellion. The lack of viable constraints both on the national and international levels combined with the rampant permeation of psychotropic drugs in society during that era necessitated the codification of some form of globally-initiated controls. The problem with the 1971 Psychotropics Convention being similar to the 1961 Single Convention is that it commensurately ignores the waters beyond the territorial limits of states. It appears that the points and theorems advanced earlier in the discussion on the problems with the 1961 Single Convention, and the bases for the latter's provisions not extending to the high seas, apply here as well. Because of their presentation earlier those points and theorems are not repeated here. However, it must be observed that the Law of the Sea had started to undergo change following Pardo's advancement of the *res communis* doctrine.¹³ Unfortunately, several states still were not prepared to concede their polarized viewpoints regarding many aspects of the

maritime realm including the status of the high seas. Consequently, the question of incorporating the waters beyond national jurisdiction within the purview of the 1971 Psychotropics Convention never arose. As the trafficking of psychotropic substances by sea compared to that of select narcotic drugs was, at the time, small and remains so today, there was never the same impetus present to begin with on the subject.

The pertinent provisions of the 1971 Psychotropics Convention specifically promulgating an anti-trafficking doctrine include Arts. 7, 12, 21 and 22. Art. 7, subpara. (f) requires the contracting states to prohibit both the export and import of all psychotropic substances listed in Schedule I (of the four attached Schedules) except where such activity is being conducted by authorized personnel and agencies. Art. 12, para. 3, subpara. (d) requires all contracting states to detain all consignments of psychotropic substances listed in Schedules I and II either entering or leaving their territories which are not accompanied by appropriate documentation. Art. 21 of the 1971 Psychotropics Convention is the counterpart to Art. 35 of the 1961 Single Convention. Except for minor elaboration in points the two articles read the same. Art. 21 requires the contracting states to endeavour to repress the illicit trafficking of psychotropic substances and to co-operate with each other in doing so. Art. 22 contains the penal provisions and like Art. 21 is a copy of an article in the 1961 Single Convention - in this case, Art. 36 of the latter convention. However, Art. 22 has been phrased and structured somewhat differently in regard to some of its provisions. Furthermore, Art. 22 is more expansive in that para. 3 contains an express provision for the seizure and confiscature of psychotropic substances along with the catalytic agents and other substances used in the

commission of a drug offence and the equipment involved. One area where the two conventions differ somewhat is in the provisions regarding the territorial applicability of the provisions. The 1971 Psychotropics Convention lacks an explicit provision on the territorial extent to which contracting states may project and effect their respective counter-trafficking measures such as found in Art. 4, subpara. (a) of the 1961 Single Convention. It does, however, contain a provision in the form of Art. 27, which is a carbon copy of Art. 42 of the 1961 Single Convention, regarding external territories for which contracting states bear responsibility for in international affairs. However, while a specific provision is missing one finds sufficient delimitation of the extent of states' control measures in the wording of other provisions: Art. 3, para. 3; Art. 12, para. 3; Art. 13, para. 4; and, Art. 16, para. 1. All of these provisions imply *de facto* that states are confined to exercising their initiatives within the confines of their territorial limits. Lastly, like in Art. 32 of the 1961 Single Convention the 1971 Psychotropics Convention has the same provision. Art. 14 requires that all contracting states adopt safeguards to prevent the misuse and diversion of psychotropic substances comprising part of medical supplies kept onboard ships of their nationalities. To the extent that the provision applies to activity transpiring wholly within the confines of a given vessel it may be said that this article tacitly endorses the right of flag states to exercise jurisdiction on the high seas over illicit drug activity provided any actions on their part are confined to their respective flag vessels.

In summary, the 1971 Psychotropics Convention lacks any reference to the waters beyond the territorial limits of both contracting and non-

contracting states. Consequently, it is functionally useless as a basis on which to combat drug trafficking on the high seas. The only consolation is that the trafficking of psychotropic substances by sea is relatively small and thus not as pressing an issue *vis-a-vis* some of the narcotic drugs.

7.2.4 The Law Of The Sea

7.2.4.1 Overview Of The Law

The prevailing Law of the Sea is the branch of international law most relevant for determining the extent to which states may exercise jurisdiction, both individually and collectively, on the sea. It establishes the juridical status of the various maritime zones conceived under its aegis and, commensurately, the degrees to which states may project their sovereignty or sovereign rights therein. *Vis-a-vis* maritime drug trafficking the Law of the Sea establishes the extent to which states can exercise their jurisdiction on the sea in interdicting drug smugglers. Unfortunately, after having said this, it has to be observed that part of the body of international ocean law is mired in controversy. Therefore, in order to understand the current Law of the Sea as it provides for the establishment of control measures over drug trafficking on the sea the current status of the law along with some of its controversial aspects need to be explained.

The extant Law of the Sea appears to be composed of three distinct facets: custom and practice; the Geneva Conventions on the Territorial Sea and the Contiguous Zone,¹⁴ on the High Seas,¹⁵ on the Continental Shelf,¹⁶ and on Fishing and Conservation of the Living Resources of the High Seas;¹⁷ and, the UN Convention on the Law of the Sea 1982.¹⁸ Cus-

tom and practice are the longstanding components of international law which treaties and conventions often purport to codify in their scriptural form. The four Geneva Conventions of 1958 represent the first attempt at codification of the customary law of the sea in convention form. However, as noted by some publicists like Harris these treaties did not fully live up to that billing and instead contained provisions which constituted "progressive development."¹⁹ They are all still in force at present and seem likely to remain so into the foreseeable future.²⁰ The Geneva Convention on the Territorial Sea and the Contiguous Zone entered into force on 10 September 1964 and has 46 contracting states. The Geneva Convention on the High Seas (hereinafter called the High Seas Convention) entered into force on 20 September 1962 and has 57 contracting states. The Geneva Convention on the Continental Shelf entered into force on 11 June 1964 and has 54 contracting states. The Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas entered into force on 20 March 1966 and has 30 contracting states. For simplicity in future reference to their provisions these four conventions will, in most instances, be referred to collectively as UNCLOS I. The UN Convention on the Law of the Sea 1982 (hereinafter called UNCLOS III) is not in force though it has 159 signatories and 40 ratifications.²¹ Moreover, the prospects of UNCLOS III entering into force in the near future range between slim and unknown. This raises an interesting query concerning the latter convention. When opened for ratification in December 1982 after ten arduous years of drafting and negotiation UNCLOS III was supposed to represent the 'state-of-the-art' in convention law governing the sea and lauded as such. Yet, six years later on it has not entered into force

having been ratified by only two thirds of the number of states required to effect entry into force. In the last few years publicists in their writings have alluded to and directly spoken of another Law of the Sea convention being needed. Birnie,²² Booth²³ and Menefee²⁴ are but a few examples of such advocates. The bases for the lack of acceptance by many states of UNCLOS III hinges on two general points. Imprimis, for several developed states the entire sea-bed 'package' found in Part XI is unacceptable. Secondly, the convention as a whole represents a considerable departure from the codification of customary law, longstanding practices and general principles of law. Incorporated in the provisions are progressive developments either promulgated by international law commissions and legal bodies or derived from the political and economic whims of states. The attitudes and responses states have adopted towards the Law of the Sea appears to be based on the degrees to which they individually and collectively consider it to embrace bonafide custom and practice, general principles of law and acceptable progressive developments as contained in both the 1958 and 1982 conventions on the Law of the Sea.

As it stands now, technically, the Law of the Sea consists of two components of international law: convention law and custom. Contracting states of the various conventions comprising UNCLOS I are bound by the legal terms and obligations contained therein. States which are not party to these conventions rely on the entire body of customary law pertaining to the sea. However, there is a third category. Several states, either when signing UNCLOS I or subsequently, maintain that these conventions did not, at the time of their inception, go far enough in scope and therefore claim to adhere to an additional body of ocean

law beyond that expounded upon in the conventions. Complicating the matter are the many changes of a progressive nature occurring in the last 25 years which have dramatically altered states' perspectives concerning the sea. Much of it was embraced within the provisions of UNCLOS III. The problem is that UNCLOS III is not a governing convention, yet many of the altered and new doctrines have manifest themselves to the point that they now constitute custom and practice anyway. Thus, from the standpoint of drug trafficking it is useful to use UNCLOS III as the legal reference. Moreover, there are moral and quasi-legal bases for referencing UNCLOS III as the applicable Law of the Sea. The convention has been signed by 159 states - in other words, by 96% of the world's sovereign members. While signation is not ratification it does indicate states' acceptance of the spirit of the convention in terms of both its purpose and objectives and respect for a fair amount of the content therein. Otherwise, why would states participate in the drafting process at all much less sign it. The quasi-legal basis for granting credence to UNCLOS III is derived from Art. 18 of the Vienna Convention on the Law of Treaties 1969 (hereinafter called the 1969 Treaties Convention).²⁵ This article stipulates that contracting parties having affixed their signatures to a treaty must "refrain from acts which would defeat the object and purpose of a treaty when: (a) it has signed the treaty.....until it shall have made its intention clear not to become a party to the treaty..." Apropos to UNCLOS III it requires signatories of the latter convention which are also contracting parties of the 1969 Treaties Convention to abide by it until such time that they have decided to ratify or reject it. Quantitatively, this applies to half the number of states having signed UNCLOS III. Because of all these

bases UNCLOS III is used in the ensuing analysis as the legal reference. Where there is considerable variance between practice and the law the divergences are noted.

Lastly, to entertain a realistic dimension to the analysis and demonstrate the complexities which could arise in the future one need only to envisage a scenario where UNCLOS III has entered into force, but the number of contracting parties is the minimum number required for entry into force.²⁶ Should this scenario come to pass a "complicated set of treaty relations will result" with the 1958 Geneva Conventions continuing in force for the states party to them and not parties to UNCLOS III.²⁷ The 1958 Geneva Conventions will also remain the governing instruments for states party to both the 1958 and 1982 Conventions in their relations with states party to the former only.²⁸ UNCLOS III replaces UNCLOS I completely for those states party to both in dealing with each other.²⁹ Art. 311 of UNCLOS III establishes these points. In addition to the above treaty relationships there will exist a set of treaty-customary law relationships further complicating the scene. States not party to either UNCLOS I or UNCLOS III will be governed entirely by customary law as they see it. The dilemma posed here hinges on the harmony and compatibility of the latter law with that codified in the conventions. Furthermore, there will undoubtedly be states which in continuing to adhere to UNCLOS I will refute the notion that UNCLOS III represents adequate or complete codification of the Law of the Sea, yet will have to contend with some of its progressive elements since they are deemed custom and UNCLOS I lacks the substance to embrace them. Presumably, these states will adhere to a Law of the Sea which represents a fusion of UNCLOS I with select aspects of the contemporary cus-

toms and practices pertaining to the sea. The net dilemma brought to mind by these intricacies and controversy concerning the Law of the Sea is how can one reliably determine the anti-trafficking doctrine extant on the sea today. Fortuitously, the answer is that most of the relevant Law of the Sea is unambiguous and well-established by longstanding custom and practice though perhaps lacking. The most problematic aspect of the Law of the Sea centers on the emergence of the exclusive economic zone codified in UNCLOS III but also now accepted in practice.

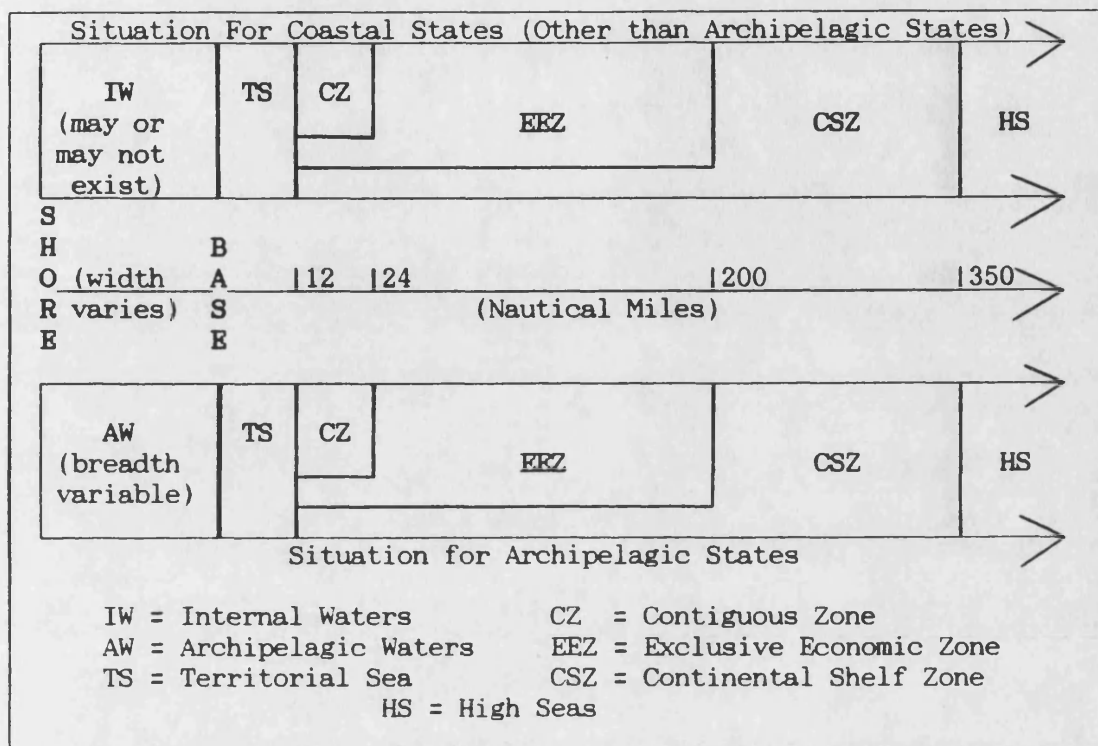
UNCLOS III envisages nine different, geographically defined zones and areas; each possessing distinct legal status. Six of these were either codified or introduced in UNCLOS I while the other three were promulgated for the first time in UNCLOS III. The nine zones and areas are: internal waters; the territorial sea; the contiguous zone; the exclusive economic zone (EEZ); the continental shelf zone (CSZ); high seas; archipelagic waters; archipelagic sea-lanes; and, straits used for international navigation. Under the new oceanic regime states are granted varying degrees of sovereignty or sovereign rights in the respective zones and areas. The extent of sovereignty or sovereign rights the state possesses directly determines the extent of jurisdiction the state has over maritime drug smugglers. Consequently, establishing the juridical characters of the respective zones and areas in regard to drug trafficking is paramount. Of all the zones and areas it is the contiguous zone and EEZ which pose contention because their legal statuses are imprecise. Because some of the zones and areas are of analogous or identical juridical character so far as the jurisdiction a state possesses therein is concerned analyses of them is simplified by amalgamating them together. Before presenting the analysis one last

dimension needs elaboration. In regard to drug trafficking *per se* the Law of the Sea may, to some, not appear to be very helpful in repressing such activity. It does not directly contribute any type of doctrine, either in treaty form or custom, suppressing the activity. Considering that drug smuggling by sea has existed for around 200 years this predicament is somewhat anomalous. UNCLOS III contains only two provisions out of 445 articles (convention and annexes) specifically referring to the suppression of drug trafficking. Art. 27 is redundant in that it only scripturally embodies a specific right on the part of states which is firmly established elsewhere in Part II (Arts. 2, 19 and 21) though not in such words. Art. 108 is relatively useless as any learned member of the legal profession can tell you. It is nothing more than a propaganda article endorsing co-operation on the subject. Where the Law of the Sea is invaluable is in extending the municipal jurisdiction of states out on to the sea so that states can suppress the maritime drug trade in their littoral waters. Furthermore, the Law of the Sea recognizes the right of states to exercise complete control and jurisdiction over their flag vessels and stateless vessels on all parts of the sea beyond their respective jurisdictional and territorial limits. It is these aspects of the Law of the Sea that are of relevance here and expounded upon further. To facilitate comprehension of the juxtapositional and conterminous relationship of the zones and areas Figure 7.1 depicts them.

7.2.4.2 Archipelagic Waters, Internal Waters And The Territorial Sea

In archipelagic waters, internal waters and the territorial sea all states possess complete sovereignty therein. Art. 2 of UNCLOS III

Figure 7.1 The Maritime Zones And Areas Codified In UNCLOS III.



expresses this maxim. Resultantly, only the littoral state has jurisdiction in such zones and areas which it has proclaimed as extant adjacent to its coast. Of the three zones and areas, internal waters and archipelagic waters possess identical juridical characters. Art. 8 in Part II infers the sovereignty of littoral states over their internal waters while Art. 49 in Part IV clearly establishes the complete sovereignty of archipelagic states over their archipelagic waters. This means that coastal states have sole jurisdiction in their internal waters and archipelagic states have sole jurisdiction in their archipelagic waters over any and all matters. The territorial sea possesses a slightly different character in that other states are granted the right of innocent passage (Arts. 17 - 26). Also, criminal ac-

tivities and actions resulting in civil liability committed and confined to wholly onboard and within a foreign flag vessel remain in the jurisdiction of the flag state and not the coastal state. However, in regard to drug trafficking within the territorial seas of states UNCLOS III explicitly acknowledges the sole jurisdiction of the coastal state to combat such activity. Art. 27, para. 1, subpara. (d) establishes this right of the coastal state in its territorial sea to exercise jurisdiction by stating "if such measures are necessary for the suppression of illicit traffic in narcotic drugs and psychotropic substances." Under Arts. 3 and 7 the breadth of the territorial sea may vary in width, but the maximum allowed is 12 n.ms. as mensurated from the baselines from which it is drawn. Currently, 105 states claim the full 12-mile limit while another 17 states claim less. However, there are also 20 states claiming more than 12 n.ms. for their territorial seas in contravention of the convention and accepted practice. Table 7.1 lists the various claims and respective number of adherents.

Table 7.1 Territorial Sea Claims As Of 30 June 1988.

TS claim	No. of claimants	TS claim	No. of Claimants
3 n.ms.	11	20 n.ms.	1
4 n.ms.	2	30 n.ms.	2
6 n.ms.	3	35 n.ms.	1
6/12 n.ms. (combination)	1	50 n.ms.	2
12 n.ms.	105	200 n.ms.	14
Total Number of States Claiming Territorial Seas = 142			
Note: Though this table includes the U.S. in the grouping of states claiming 3 n.ms. it must be noted that the U.S. has since extended its territorial sea claim to 12 n.ms.			
Source: UN Office for Ocean Affairs and the Law of the Sea, <u>Law Of The Sea Bulletin</u> , No. 11, July 1988 (New York), pp. 46-49.			

Additionally, it must be clarified that the seaward limit of the territorial sea, regardless of its stated breadth, does not necessarily represent the true distance of that limit from shore. For states with relatively smooth and linear coastal configurations the seaward limits of their respective territorial seas will, allowing for slight variations, comprise imaginary lines paralleling their coasts positioned at uniform distances off the coast equivalent to the numeric value of the declared breadths. However, in regard to states with unique and peculiar coastal and insular configurations the outer limits of their territorial seas may be of considerably greater distances from shore. In particular, this is true for archipelagic states and states with ragged coastal configurations resulting from deep embayments, fjords, river mouths, deltas and numerous offshore islands. It occurs because the baselines from which the territorial sea is measured are themselves offshore in some cases thus commensurately displacing the outer limit of the territorial sea further offshore. For an archipelagic state the seaward limit of the territorial sea may be far out to sea by a factor several times greater than the breadth actually claimed. UNCLOS III fully permits such deviations and variations in the establishment of the territorial sea so long as the baselines are drawn in accordance with its provisions.

Finally, relative to this analysis it must be observed that much of what has been said based on UNCLOS III also appears to apply in custom and practice. Internal waters and the territorial sea doctrines are old established concepts and the provisions of UNCLOS III are, for the most part, not incompatible with those contained in UNCLOS I. Archipelagic waters, on the other hand, is a new doctrine open to debate

not so much because the concept is outrightly unacceptable, but rather because of the way some archipelagic states wish to draw their baselines which defies logical and rational comprehension.³⁰ Consequently, in practice one is left to presume that non-archipelagic states will only respect the claims of archipelagic states to their respective archipelagic waters and adjacent zones to the extent they see the latter's claims as cartographically valid.

7.2.4.3 The Contiguous Zone

Though an entrenched concept in the Law of the Sea the formalization of the contiguous zone regime is rooted in the historical and often arbitrary projections of municipal authority by states on the sea beyond their territorial limits as they unilaterally deemed necessary. As defined in the pertinent provisions of UNCLOS III the contiguous zone is a zone adjacent to the territorial sea within which states may exercise jurisdiction solely in regard to customs, fiscal, immigration, sanitary and archaeological matters (Arts. 33, para. 1 and 303). In simplified terms, the contiguous zone is a sort of a buffer zone or transition zone within which states may exercise select protective and punitive measures oriented towards preserving their territorial integrity. The actual breadth of a state's contiguous zone depends on the territorial sea claim of the state. Art. 33, para. 2 stipulates that the outer limit of the contiguous zone may extend up to a maximum of 24 n.m.s. seaward from the same baselines used to measure the territorial sea. However, the true breadth of the zone itself is determined by subtracting the width of the territorial sea from the declared outer limit of the contiguous zone. The conterminous relationship of the territorial sea and con-

tiguous zone allows this method of assessment. Resultantly, for states claiming 12-mile territorial seas and 24-mile limits to their contiguous zones the true breadth of the latter zone is 12 miles. Except for the archaeological component and the new seaward limit the UNCLOS III provisions are congruous to those contained in UNCLOS I. Moreover, custom and practice today attest to the viability of the regime. On the surface it appears that the Law of the Sea is concise and that in regard to drug trafficking states do have jurisdiction over such activity in their contiguous zones. The specific use of the term "customs" in para. 1, subpara. (a) in context with the entire phrasing of Art. 33 clearly indicates such. The fact that in nearly all states the respective customs agencies usually constitute a primary component of a state's counter-trafficking initiative and are legally empowered to both prevent the entry of illicit drugs and confiscate them where discovered confirms this premise.

Unfortunately, in practice states seem to be divided in their interpretation or acceptance of the contiguous zone, both in general and *vis-a-vis* the suppression of drug trafficking. As shown in Table 7.2 only 30 states claim contiguous zones. Considering the propensity of most states to usurp more territory wherever possible, given the chance, this lack of contiguous zone claims is anomalous. It implies that while many states will normally promote 'creeping jurisdiction' they do not accept the contiguous zone regime as a viable doctrine by which to do so. Part of the basis for this split stems from differences in interpretation of the wording in para. 1 of Art. 33. Controversy surrounds the use of the phrase "to prevent infringement.....within its territory or territorial sea." The argument advanced is that the verb "prevent"

Table 7.2 Contiguous Zone Claims As of 30 June 1988.

The figures given below are the true breadths of the respective contiguous zones after subtraction of the territorial sea claims of the respective states listed.			
Antigua & Barbuda	12 n.ms.	Malta	12 n.ms.
Bangladesh	6 n.ms.	Morocco	12 n.ms.
Burma	12 n.ms.	Pakistan	12 n.ms.
Chile	12 n.ms.	Saudi Arabia	6 n.ms.
Dominica	12 n.ms.	Senegal	12 n.ms.
Dominican Rep.	24 n.ms.(a)	South Yemen	12 n.ms.
Egypt	6 n.ms.	Sri Lanka	12 n.ms.
Finland	2 n.ms.	St. Kitts & Nevis	12 n.ms.
France	12 n.ms.	St. Lucia	12 n.ms.
Gabon	12 n.ms.	St. Vincent & The Grenadines	12 n.ms.
Gambia	6 n.ms.	Sudan	6 n.ms.
Ghana	12 n.ms.	U.S.A.	9 n.ms.(b)
India	12 n.ms.	Vanuatu	12 n.ms.
Kampuchea	12 n.ms.	Venezuela	3 n.ms.
Madagascar	12 n.ms.	Vietnam	12 n.ms.
(a) - The Dominican Republic claims no territorial sea but the full breadth of the contiguous zone.			
(b) - Since increased to 12 n.ms.			
Source: UN Office for Ocean Affairs and the Law of the Sea, <u>Law Of The Sea Bulletin</u> , No. 11, July 1988 (New York), p. 50.			

followed by "infringement" does not sanction active interdiction efforts, but endorses surveillance operations and 'dissuasion-from-entry' tactics. In other words, there is a difference between offensive and defensive measures. The second part of the argument focuses on the area of emphasis. The thrust of the article is on preventing the penetration of the territorial sea and violation of national laws applicable therein. The phrasing used implies that a violation of the various laws referred to (customs, fiscal, immigration and sanitary laws) does not technically occur until the intruder physically enters the territorial sea while carrying a substance defined as illicit. Subpara. (b) of Art. 33, para. 1 reinforces this interpretation by acknowledging the right of a state to apprehend transgressors of the laws

specified in subpara. (a) for having committed such offences while in the territorial sea or on terreal territory but which have fled to the waters comprising the contiguous zone. The question which proponents of the argument will retort with is how can one legally equate preventive measures applied on an area beyond the territorial limit of a state in relation to anticipated and not actual offences with the absolute jurisdiction states possess within their territorial limits in regard to any offence and crime. Based on the relatively small number of the world's states claiming contiguous zones it would appear that for most states the answer is you cannot. As a last comment on the argument it should be noted that it is not new but was first advanced prior to UNCLOS I. Gerald Fitzmaurice, the U.K.'s representative on the ILC drafting UNCLOS I, strongly voiced the argument in the conferences leading up to the four conventions.³¹

In light of what has been said the question naturally arises: what is the current status of drug interdiction measures implemented by a coastal state in respect to its contiguous zone? With one exception the answer is that any and all counter-trafficking measures adopted by the coastal state are valid so long as they are confined to within the contiguous zone. The 30 states currently claiming contiguous zones have the full right to effect drug control actions therein. All other states not claiming a contiguous zone have identical and congruous rights should they assert a claim to such zone in the future. Furthermore, the latter group must respect the contiguous zone claims of all states which claim such zones and, concomitantly, their right to exercise jurisdiction over drug trafficking activities transpiring therein. The one exception alluded to earlier concerns the use of force. While force is a

necessary element in combatting the illicit drug trade, presumably, there are limitations to its usage based on certain fundamental principles of law and morality. As opposed to the territorial sea wherein the littoral state can employ draconian and violent measures of response it is reasonable to presume that "preventive measures" implemented in the contiguous zone must necessarily be of a less severe nature. In applied terms, this means that suspect vessels found in the contiguous zone and ascertained not to have already been in the territorial sea of the pertinent coastal state cannot be summarily destroyed by an authorized government vessel of that coastal state for failing to stop and be boarded. Contrastingly, in the territorial sea a coastal state may lawfully employ deadly force in a pre-emptive manner though public and international outcry may abhor such a response. The foundation for this presumption is that within a state's territory municipal legislation empowers law enforcement agencies to employ such tactics when the actions of the offenders allow no other recourse (in order for the police agencies to serve their function). Naturally, in circumstances where a suspect vessel fires upon a government vessel or aircraft while within the contiguous zone the latter are then automatically granted the right to reply with equivalent force and use it till such time that the offensive vessel has been rendered harmless.

7.2.4.4 The Exclusive Economic Zone (EEZ)

The EEZ defined in Part V of UNCLOS III is a new concept which definitively exemplifies progressive codification in the Law of the Sea. While it is true that recognition of the concept dates back four decades and was implied in UNCLOS I, it was not until the 1970s that it rapidly

gained acceptance among a wide spectrum of states. However, not all states accept the entire definition of the EEZ found in UNCLOS III and instead call their equivalent zones Exclusive Fishing Zones because it more aptly reflects the economic activity they regulate therein. According to Art. 57 the EEZ may be up to 200 n.m.s. in breadth and is measured from the same baselines used for measuring that state's territorial sea and contiguous zone claims. Currently, 93 states claim either an EEZ or EFZ; of which 89 claim the full 200 miles.³² In reality though the actual width of the EEZ is less as a result of its conterminous relationship with the territorial sea. Because states possess jurisdiction in regards to drug trafficking both in their territorial seas and contiguous zones, where the latter are claimed, the actual portion of the EEZ under consideration here is that which is beyond the outer limits of these two zones. Consequently, to determine the net breadth of a state's EEZ relevant to this discussion one must subtract the sum of the territorial sea breadth and contiguous zone breadth, where the latter exists, from the EEZ or EFZ claimed - as the case may be. Wherever there is solely a territorial sea or contiguous zone claimed one simply subtracts that breadth from the EEZ breadth. Table 7.3 presents the result of these computations. The actual rights and obligations coastal states have in their respective EEZs are established in Art. 56. In synopsis, the coastal state is given the sovereign right to exploit, explore, conserve and manage the natural resources, both living and non-living, therein and derive all benefit from other economic activities they can develop in the zone predicated on the use of technology in relation with natural phenomena, forces and resources (eg. produce energy from wind, currents, water, etc.).

Table 7.3 Net Breadths Of The EEZs And EFZs Subject To Inquiry.

The mileage figures to the left are the net breadths of the EEZs and EFZs after subtracting the respective territorial sea and contiguous zone claims. The number to the right in the column is the number of states having EEZs/EFZs of that net breadth.			
1 n.m.	1	182 n.ms.	2
6 n.ms.	2	185 n.ms.	1
32 n.ms.	1	188 n.ms.	56
170 n.ms.	2 (a)	196 n.ms.	1
176 n.ms.	21	197 n.ms.	4
180 n.ms.	1 (a)	200 n.ms.	1 (b)
(a) - net breadth results from territorial sea claim contrary to UNCLOS III provisions.			
(b) - net breadth is full breadth of EEZ allowed because state claims no territorial sea or contiguous zone.			
<u>Note:</u> States claiming 200-mile territorial seas are not included in the above presentation.			
<u>Source:</u> Extrapolated from data contained in UN Office for Ocean Affairs and the Law of the Sea, <u>Law Of The Sea Bulletin</u> , No. 11, July 1988 (New York), pp. 46-53.			

Conversely, Art. 58 establishes the rights other states possess in a state's EEZ. This is where controversy arises though in regard to the drug trafficking issue it may not matter much for now. The core of the debate centers not so much on its purpose but rather its juridical status overall. Poor syntax and phrasing of the relevant provisions combined with structural segregation of the various doctrines and regimes espoused in UNCLOS III have given rise to serious argument over the scope of the EEZ regime and lent impetus to several states adopting a broader than intended interpretation of their rights and jurisdiction in their EEZs. As noted earlier, 13 states outrightly maintain that they have 200-mile territorial seas.³³ Additionally, other states subscribe to the concept of the coastal state possessing national jurisdiction in the EEZ though they do not claim their EEZs to constitute territorial seas.³⁴ The root of the controversy stems from the intrinsic desire on the part of many states to extend their sovereignty and juris-

diction whenever and wherever possible in order to fulfill an innate insecurity complex. It is not the author's intent to give a discourse on the controversy, but in order to establish the juridical status of the EEZ as it affects states' ability to combat drug trafficking on the sea some elaboration is required. Contrary to the view of some states that the waters of the EEZ comprise high seas it appears that in fact the EEZ is a zone *sui generis*. Sufficient evidence of this fact is found in both the official declarations of states regarding the oceanic regime and the literary works and forum discussions of publicists. Among states advocating this position are Cape Verde, Chile and Uruguay.³⁵ The Chilean interpretation of the the EEZ is demonstrative of these states' views. Chile states that "the exclusive economic zone has a sui generis legal character distinct from that of the territorial sea and the high seas" and "is a zone under national jurisdiction..."³⁶ It goes on to say that UNCLOS III "defines it [the EEZ] as a maritime space under the jurisdiction of the coastal state, bound to the latter's territorial sovereignty and actual territory, on terms similar to those governing other maritime spaces, namely the territorial sea..."³⁷ Among publicists categorizing the EEZ a zone "*sui generis*" are Barrie,³⁸ Booth,³⁹ Churchill and Lowe,⁴⁰ Hollick⁴¹ and Rembe.⁴² The truest answer to a question on the juridical status of the EEZ is that it is yet undecided and that resolution may come from elsewhere. O'Connell holds this view when he states that the EEZ's "actual status is likely to come to depend less upon the textual exegesis than on the outcome of the free play of political forces over a span of time."⁴³ This is unfortunate for those states most concerned and afflicted by the maritime drug trade because an answer would be helpful now. To bridge the gap the formula-

tion of a temporary but 'working' answer which states can refer to until such time as the juridical issue is definitively settled or a political consensus attained is paramount. To achieve this the pertinent articles of UNCLOS III need to be re-evaluated and balanced by the learned views of publicists.

As already noted the crux of the debate centers on the extent of sovereignty or sovereign rights states possess therein. Part of the conflict in viewpoints stems from an incongruity in the relevant provisions induced by poor phrasing and the compartmentalization of the various oceanic regimes into separate Parts. The structure of the convention implies that each Part is a separate entity. Art. 86 of Part VII dealing with the high seas indicates that the EEZ must be of different juridical status by categorically excluding the application of the high seas regime to within the EEZ. Contrastingly, Art. 58 of Part V specifically states that the high seas freedoms listed in Art. 87 and other internationally lawful uses (not cited in the article's provisions) do exist within the EEZs of all states. Here is where the contradiction arises though it is not readily obvious. A careful reading of of Art. 58 reveals that only the "freedoms" listed in Art. 87 and "other internationally lawful uses of the sea related to these freedoms" are permitted. Drug trafficking is not one of the freedoms listed in Art. 87. At this juncture a curious question is posed: is drug trafficking on the high seas unlawful? This question is of relevance in relation to the phrase "other internationally lawful uses..." While most of us would think the answer is yes it has to be said that nowhere in convention law pertaining to the high seas has it been established that drug trafficking on the high seas is unlawful. Irrespective of the

latter point the outcome of this analysis reinforces the idea that the EEZ is not a residual high seas area. Art. 55 validates the point: Thus, the question arises: is the EEZ a maritime zone within which the littoral state may exercise jurisdiction in regard to drug trafficking activities on the basis that it possesses some form of limited sovereignty or national jurisdiction therein granted to it by either UNCLOS III or custom? Outwardly, the answer is no! Art. 56, para. 1, subparas. (a) and (b) seem to concisely and explicitly define the degree of sovereign rights - not sovereignty - the coastal state has with respect to its EEZ. Nowhere in the article (Art. 56) do the provisions grant the state jurisdiction in regard to drug trafficking specifically or criminal activities in general. Resultantly, it appears that the coastal state may not adopt or implement drug control measures in the EEZ nor attempt to enforce its drug laws therein. However, as Young observes, the EEZ legitimizes the monopolistic ubiquity of the civil power of the coastal state and extends the area over which the legitimization of national control may be exercised.⁴⁴ Considering the name of the zone, the nature of politics and state behaviour it should be realized that in practice there is little activity at sea which cannot be embraced within the term "economic." Drug trafficking is an economic venture albeit criminal. Hence, in the future it is conceivable that the right of the coastal state to regulate economic activities within the EEZ will broaden to encompass all illicit economic activities.

7.2.4.5 The High Seas

As defined in Art. 86 of UNCLOS III and corroborated, for the most part, by state practice the high seas consists of all parts of the sea

not comprising internal waters, archipelagic waters, the territorial sea and the EEZ. Art. 1 of the High Seas Convention is nearly identical but omits the EEZ. The contiguous zone is not included in Art. 86 as an area of exclusion. Considering the conterminous relationship of the latter zone with the EEZ this presents something of an incongruity and is further evidence of the syntactical and structural problems extant within the convention. However, in relation to drug trafficking this point is academic since the right of states to combat drug trafficking in the contiguous zone seems secure and in this context it must be defined as not comprising part of the high seas. Under the extant Law of the Sea no state may purport to subject any part of the high seas to its sovereignty and all states enjoy equally a number of "freedoms of the high seas" pertaining to navigation, overflight, scientific research, the laying of submarine cables and pipelines and the construction of artificial islands and installations (Art. 2 of the High Seas Convention and Arts. 87 and 89 of UNCLOS III). In spatial terms, the high seas constitute the maritime area beyond the outer limit of the EEZ or, where none is claimed, the territorial sea. The fact that a state claims no EEZ but claims a contiguous zone technically has no bearing on the matter since in juridical terms the latter zone remains part of the high seas with the littoral state granted only limited regulatory powers therein. It is solely in the applied sense in relation to drug trafficking and other select offences that the contiguous zone becomes a zone divorced from the high seas.

The high seas regime codified in both UNCLOS I and UNCLOS III are relatively identical and provide states with only limited means of suppressing the drug trade. Though UNCLOS III differs from UNCLOS I in

that it contains a specific article pertaining to drug trafficking on the high seas there are no express provisions in either directly granting all states universal jurisdiction over maritime drug traffickers in that regime. Art. 108 of Part VII in UNCLOS III is a functionally useless article which effectively serves no other purpose than to pay 'lip service' to counter-trafficking measures for the high seas and recognize flag state jurisdiction. Art. 108 is reproduced below:

"Article 108 Illicit traffic in narcotic drugs or psychotropic substances

1. All States shall co-operate in the suppression of illicit traffic in narcotic drugs and psychotropic substances engaged in by ships on the high seas contrary to international conventions.
2. Any State which has reasonable grounds for believing that a ship flying its flag is engaged in illicit traffic in narcotic drugs or psychotropic substances may request the co-operation of other States to suppress such traffic."

There are three major flaws in the article. Imprimis, para. 1 requires all states to "co-operate in the suppression of illicit traffic" but does not define what the means of co-operation are to be. The article therefore has no 'teeth'. As is well evidenced in other areas of international law and relations the term "co-operation" has diverse meaning ranging the gamut from bilateral exchanges of information to multi-lateral military operations but generally involves passive intelligence co-ordination. In simple terms, the article does not definitively sanction the use of counter-trafficking offensives on the part of all states to suppress the illicit drug trade on the high seas. Another flaw with para. 1 is that it refers to "illicit traffic.....engaged in by ships on the high seas contrary to international conventions." None of the other applicable drug conventions contain provisions pertaining to or ap-

plicable on the high seas. Therefore, one is left to ponder as to what international conventions are being contravened when drugs are moving on the high seas. The third problem concerns para. 2 wherein the absolute right of the flag state to exercise jurisdiction on the high seas is reaffirmed. This paragraph is redundant since the extant Law of the Flag theory is established elsewhere in the provisions of both UNCLOS I and UNCLOS III and in custom and practice (Art. 6 of the High Seas Convention and Arts. 92 and 94 of UNCLOS III). The fact that Art. 108 promotes the idea of flag states asking the assistance of other states in dealing with one of its vessels does not alter the realities of circumstance. Flag states alone possess jurisdiction over their vessels and, in general, no state may project its jurisdiction over foreign flag vessels in regard to drug trafficking on the high seas except if authorized by the flag state. This latter aspect naturally swings the analysis around to the line of query concerning the limited bases by which states may exercise their jurisdiction on the high seas in relation to drug trafficking therein. At this juncture some juridical philosophy on the subject is required to facilitate comprehension of the bases by which states can protuberate their jurisdiction on the high seas. International law recognizes a number of exceptions to the "freedom of the high seas" doctrine when the interests of a given state supersede the interests of the international community.⁴⁵ These exceptions are rooted in the concept that a certain legal order must be preserved to prevent anarchy on the high seas. Of the six exceptions pertaining to criminal behaviour - the nationality, objective-territorial, protective, passive personality, territoriality and universality principles - only the first three have validity in regard to drug

smuggling on the high seas. To demonstrate the viability of the nationality, objective-territorial and protective principles the juridical bases in the Law of the Sea through which they may be applied, inferred or interpolated need to be examined. There are four bases by which states can legitimately exercise jurisdiction over drug trafficking activities on the high seas. The first involves the Law of the Flag theory referenced above. The Law of the Flag theory is a corollary principle of the nationality principle and is based on the concept that a vessel constitutes a territorial extension of the state in which it is registered. Consequently, all flag states retain exclusive jurisdiction over their respective flag vessels on the high seas (Art. 6, para. 1 of the High Seas Convention and Art. 92, para. 1 of UNCLOS III). In practice it means a flag state may board, search, seize its vessels, arrest those onboard and prosecute them, regardless of citizenship, for offences committed on the high seas as the flag state sees fit or necessary. The flag state is fully within its rights to enforce its national laws along with treaty conferred obligations on its flag vessels while they are on the high seas. An additional dimension of this situation is that flag states are fully entitled to defer or delegate their authority over their vessels to another state should they so desire or if requested to do so. But, in order for other states to have such responsibility the flag state must have acquiesced or consented to such deferral or delegation. Art. 108, para. 2 recognizes this aspect of the Law of the Flag theory and encourages such interstate co-operation albeit it in a lacklustre format. As will be observed later, Art. 17 of the 1988 Anti-Trafficking Convention also promotes this form of interstate co-operation, but in a more effective manner. Art. 110, para. 1,

subpara. (e) along with paras. 2, 4 and 5 affirms the right of flag states to board and search their own vessels on the high seas though no provisions specifically granting seizure, arrest and prosecution powers are included. However, it is construed that flag states have this authority under the auspices of Art. 92, para. 1 in tandem with the customary Law of the Flag theory.

The second basis applies for all states and is founded on their universal right to board, search and seize ships which are stateless. In practice, vessels engaged in drug trafficking are sometimes unregistered thus possessing no legitimate link with any state. The U.S. reports that about 10% of the vessels it seizes on drug trafficking grounds are stateless.⁴⁶ Art. 110, para. 1, subpara. (d) along with paras. 2, 4 and 5 establishes the right of all states to board and search vessels having no nationality (not registered in any country). Unfortunately, similar to that noted earlier there are no provisions in either UNCLOS I or UNCLOS III specifically stating what states finding such vessels are to do with them. However, in practice there appear to be two options by which states may justifiably seize stateless vessels and arrest and prosecute those onboard for drug trafficking. The first involves the application of the objective-territorial or protective principles. The objective-territorial principle grants states jurisdiction over criminal activities committed extraterritorially but which produce a detrimental effect within their respective territorial limits. Therefore, stateless vessels carrying drugs destined for a given state can be apprehended outside that state's territorial sea and contiguous zone limits on the basis of the negative threat the drug consignment poses to the state. The rationale being that once the drugs enter the

state they would have had a detrimental impact on the population. The problem is that the objective-territorial principle in theory requires a more definitive 'cause and effect' nexus between the act committed extraterritorially and the detrimental effect induced within the state's territory. Drugs on the high seas are innocuous substances which in no way have a detrimental effect on the state. In practice though this latter aspect has not deterred municipal courts from convicting drug traffickers found on the high seas onboard stateless vessels, notably in the U.S.⁴⁷ The protective principle grants states jurisdiction extraterritorially if the activity occurring outside their territories pose potential threats to national security. Historically, prosecution under the protective principle in a state's court was restricted to extraterritorial acts related to espionage, currency forgery and plots to overthrow the government. However, a liberal interpretation of what constitutes a threat to national security easily allows extraterritorial drug trafficking to be embraced within the scope of the term thus granting states jurisdiction over drug traffickers seized on the high seas. US courts have indicated support for convictions on these grounds (protective principle).⁴⁸ The second option requires a liberal interpretation by the courts of the character of stateless vessels. Instead of focusing solely on the presence of illicit drugs onboard the stateless vessel the basis for conviction stems in part from the offence of being stateless which the Law of the Sea implies is intolerable. Neither UNCLOS I or UNCLOS III specify the negative impact or threat, if such exists, posed to the global community by the presence of stateless vessels on the high seas. However, the court of a state may find that a state is sanctioned to seize stateless vessels and arrest and prosecute

those onboard on any of the following grounds: (1) a stateless vessel has no internationally recognized right to navigate freely on the high seas; (2) a stateless vessel constitutes a potential hazard to navigation and its presence destabilizes the tranquil character of the high seas; or, (3) that the assertion of state jurisdiction over stateless vessels is lawful because it does not interfere with the affairs of any other state.⁴⁹ The fact that the stateless vessel was carrying illicit drugs is an additive factor for justifying the state's assertion of jurisdiction over stateless vessels since it can be claimed that drugs are certainly a destabilizing influence in the world. The lack of elucidation on the character of statelessness in both the 1958 and 1982 conventions is merely further evidence of the shortcomings extant in the codified Law of the Sea. Art. 110 should have contained an additional paragraph elaborating on the arrest and seizure rights of all states discovering stateless vessels or, alternatively, an additional article relating to the entire aspect of statelessness should have been inserted in the codified Law of the Sea and the rights of all states explicitly clarified therein. As it stands now, the right of all states to seize stateless vessels stems from both customary law and general principles of international law.

The third basis also applies for all states and is a variant of the above doctrine concerning stateless vessels. In this case though the grounds for boarding, searching and seizing vessels on the high seas results from the selective use of two or more flags by a vessel for the purposes of convenience. Art. 92, para. 2 (Art. 6, para. 2 of the High Seas Convention) categorically states that any vessel sailing under more than one flag is to be assimilated to be a vessel without nationality.

This means that all the points made above concerning the basis for boarding, searching and seizing stateless vessels and the relevant articles and principles cited are equally applicable here.

The fourth basis involves the doctrine of 'hot pursuit'; a concept firmly entrenched in customary law and both UNCLOS I and UNCLOS III. All the various elements of this doctrine are not recanted here aside from those necessary for demonstrating its applicability. Under the 'hot pursuit' doctrine a littoral state may actively pursue a foreign flag vessel which it believes committed an offence contravening its national laws while present in its internal waters, archipelagic waters and the territorial sea out onto the high seas and there seize the offending vessel and arrest and prosecute those onboard (Art. 23 of the High Seas Convention and Art. 111 of UNCLOS III). This doctrine also applies to offences committed within the contiguous zone, EEZ and CSZ, but only to the extent that the offence contravenes the limited laws and regulations coastal states have been given the right to adopt and enforce therein. Art. 111 explicitly establishes the 'hot pursuit' doctrine. Drug trafficking is one of the offences for which states may undertake hot pursuit of an offending vessel, seize it and arrest those onboard on the high seas. The validity of this interpretation is substantively reinforced by para. 4 of Art. 111 which seems to be specifically oriented towards drug trafficking because of the provision pertaining to mothership operations. Of course, the reference to motherships in para. 4 also embraces certain other types of marine activity, notably those related to fishing since it is non-specific. This, however, does not alter the fact that it has clear application to drug trafficking operations. An interesting aspect of the 'hot pursuit'

doctrine contained in UNCLOS III is that it grants states the right to maintain hot pursuit of a vessel into the EEZs and contiguous zones of other states but not the territorial seas. Para. 3 of Art. 111 explicitly specifies that the "right of hot pursuit ceases as soon as the [suspect] ship pursued enters the territorial sea of its own State or of a third State."

Aside from the above bases there are no other grounds on which states can legally seize vessels engaged in drug trafficking on the high seas and arrest and prosecute those onboard. A vast majority of the world's states concur on this point. Perhaps because it is a principal destination point for illicit drug shipments the U.S. has promulgated Federal legislation purporting to extend its jurisdiction to the high seas in regard to foreign vessels with foreign crews based on the objective-territorial and protective principles. US courts have upheld convictions related to drug seizures effected on the waters beyond the U.S.'s contiguous zone.⁵⁰ Furthermore, the American courts have hinted at the applicability of the universality principle though no court has actually accepted it as a valid basis for conviction.⁵¹ Unfortunately, while there is sympathy for the U.S.'s drug problem and its concomitant initiatives at combating the trafficking component many states will, if pressed on the issue, say that they do not concur with some of the laws enacted, or portions thereof, and programs implemented by the U.S. to suppress the drug trade. The reasons for their nonconcurrence are that they do not accept the U.S.'s projection of jurisdiction in areas normally deemed beyond the territorial limits of the U.S. and which contravene international law. One particular example is the U.S.'s reliance on the '*Ker-Frisbie*' doctrine for trying select cases.⁵² Under

this doctrine the manner in which individuals, regardless of nationality, are brought within the court's physical custody in no way invalidates the court's right to try them.⁵³ US courts have upheld their right to try defendants apprehended on the high seas for drug offences even though the U.S. may have had no right to arrest them and in doing so violated international law.⁵⁴

7.2.4.6 Archipelagic Sea-Lanes, International Straits And The Continental Shelf Zone (CSZ)

Though archipelagic sea-lanes, international straits and the CSZ are recognized as separate marine geographical entities possessing distinct juridical characters their existence is of little consequence to the promulgation of a maritime anti-trafficking doctrine. The reason is that whatever juridical characters they respectively derive from UNCLOS III in no way alters the legal status of the waters comprising the respective zones and areas. Incorporated in the relevant articles codifying each regime is a specific provision which explicitly provides that the legal status of the waters within these respective zones and areas is determined by the prevailing legal regimes of the surface waters. In other words, the legal status of the waters in these three zones and areas will either correspond to the respective claims of littoral states for territorial seas, contiguous zones and EEZs, and for archipelagic waters in the case of archipelagic states, or be governed by the high seas regime. In regards to archipelagic sea-lanes Art. 49, para. 4 in UNCLOS III explicitly states that the "regime of archipelagic sea lanes passage established in this Part shall not in other respects affect the status of the archipelagic waters, including the sea

lanes..." Relative to drug trafficking this means that the archipelagic state has full jurisdiction over such activity since para. 1 of Art. 49 establishes the sovereignty of the archipelagic state therein. In regards to international straits Art. 34, para. 1 explicitly states that the "regime of passage through straits used for international navigation established in this Part shall not in other respects affect the legal status of the waters forming such straits or the exercise by the State bordering the straits of their sovereignty or jurisdiction over such waters..." This means that the extent to which states bordering a strait may exercise jurisdiction over drug trafficking on the waters of the strait will depend on their territorial sea and contiguous zone claims. As an applied example, two littoral states, both of which claim 12-mile territorial seas, bordering an international strait of less than 24 n.ms. in breadth throughout its length have complete jurisdiction over drug trafficking therein up to the boundary between the two territorial seas (usually a median line). Where the strait is wider than 24 n.ms. the extent to which strait states may exercise jurisdiction over drug trafficking in the strait depends on not only whether they claim contiguous zones but the breadth of those claims in relation to the physical width of the strait. If the width of the strait exceeds the sum of the respective claims of the strait states to territorial seas and contiguous zones there then exists a corridor of water in the center of the strait which, normally, is beyond the jurisdictional control of the strait states except in regard to any extant EEZ regimes. EEZ claims, though, are irrelevant since states at present cannot exercise jurisdiction over drug trafficking therein. However, under other provisions of the international straits doctrine it appears that strait

states do have jurisdiction over drug traffickers on the waters of a strait beyond their territorial limits. The basis for this jurisdictional extension stems from the need for promoting safe navigation in the strait and countering threats to it. Art. 42, para. 1, subpara. (d) stipulates that strait states can adopt laws and regulations in relation to transit in respect to the "loading or unloading of any commodity.....in contravention" of their customs laws. This is a unique provision in that it allows strait states to have *de facto* contiguous zones throughout their halves of an international strait irrespective of its breadth. In effect, it means the high seas doctrine which may otherwise exist in an international strait is partially suspended. In the case of international straits which are bordered by the same state on both sides it means that that state may exercise jurisdiction throughout the strait in regard to drug trafficking regardless of the strait's breadth. Where more than two states border an international strait which is wider than their territorial limits one will have to work out the cartographic limits to jurisdiction based on a median line or an equity principle. Alternatively, these three (or more) strait states can mutually decide on an open interdiction policy applicable for all of them in the portion of the strait beyond their respective territorial limits. In regard to the CSZ Art. 78, para. 1 explicitly states that the "rights of the coastal state over the continental shelf do not affect the legal status of the superadjacent waters..." In applied terms, this means that a coastal state claiming a CSZ may only exercise jurisdiction over drug trafficking up to the outer limits of its territorial sea, and contiguous zone if one is claimed. In the rest of the CSZ, regardless of breadth, beyond these limits the

coastal state cannot exercise jurisdiction over drug traffickers except as provided for under the high seas doctrine. The fact that the CSZ of a given state may, for the most part, be conterminous with its EEZ has no bearing on the matter because littoral states currently lack jurisdiction over drug trafficking in the latter zone (aside from that provided for under the high seas regime).

In summary, neither the archipelagic sea-lane, international strait or CSZ doctrines create any problematic dimension in combating the maritime drug trade. Conversely, neither do they complement the extant Law of the Sea in terms of enhancing suppression of the trafficking of drugs by sea except as provided for under one provision of the international straits regime. In essence, the doctrines enveloping these three zones and areas are benign in relation to the drug trafficking issue.

7.2.5 The 1988 Convention Against Illicit Traffic In Narcotic Drugs And Psychotropic Substances

At the time this treatise was being prepared the 1988 Anti-Trafficking Convention had just been opened for signation.⁵⁵ As of 7 April 1989 the convention had 62 signatures but no ratifications. As to when it may actually enter into force is unknown, but realistically it stands an excellent chance because the number of ratifications and accessions required for entry into force is only 20 (Art. 29). Whether the convention will be widely accepted - that is accepted by more than 100 states - is another issue. Some of the articles in the convention contain provisions requiring elaborate legal obligations which several states' legal systems may be unable to fulfill or comply with. The 1988

Anti-Trafficking Convention has particular relevance to the topic of this treatise because it expands on the manner in which states may suppress drug trafficking on the high seas, in free trade zones and in free ports. It does not, however, recognize an open right on the part of all states to search and seize foreign flag vessels nor a right to arrest and prosecute those onboard. Having said this, it has to be noted that a somewhat contradictory or, perhaps one should say, ambiguous provision exists within the convention which appears to suggest that states can exercise their jurisdiction extraterritorially on the basis of the objective-territorial principle. More is said on this dimension later.

The basic purpose of the provisions pertaining to the maritime drug trade is to encourage bilateral co-operation based on flag state assent to foreign interception. Arts. 4 and 17 are the relevant articles. Out of necessity they are inextricably interdependent on each other. Just as its title implies Art. 4 defines the jurisdictional parameters to state projection of authority. Art. 17 promotes bilateral co-operation and advances the consent concept based on the Law of the Flag theory. However, it has to be said that the wording is weak and, in practical terms, no change to the status quo of the Law of the Sea has been effected. Art. 4 in para. 1, subpara. (a), item (ii) mandates that contracting states implement measures to ensure their jurisdiction over their respective flag vessels in relation to the drug offences enumerated upon in Art. 3, para. 1. *Vis-a-vis* shipping the applicability of the Law of the Flag theory is reaffirmed. Furthermore, in subpara. (b), item (ii) contracting states are requested to "take such measures as may be necessary to establish" their jurisdiction over

foreign flag vessels on which drug offences have been committed pursuant to the scope of authorization given by the flag state. Lastly, in para. 2, subpara. (a), item (i) it is mandated that contracting states take measures to ensure their jurisdiction over those individuals committing drug offences onboard their respective flag vessels. Art. 17 provides the mechanism by which contracting states are to co-operate in fighting the trafficking of drugs by sea. In para. 1 the validity of the Law of the Sea is recognized and endorsed via the stipulation that all efforts at suppression conform with it. The bases by which contracting states may interdict drug-laden vessels on extraterritorial areas of the sea are established in paras. 2 - 8. However, in all of the provisions found therein the sovereign sanctity of the flag state is firmly preserved. Para. 2 recognizes the right of the flag state to ask other states to intercept and seize its vessels on the basis of their involvement in drug trafficking. Provided the state to which such request is made is a contracting party of the convention the latter must render the assistance requested within the limits of its ability and resources. This provision is an extension of the legal mutual assistance doctrine and in particular appears to make Art. 7, para. 2, subpara. (c) clearly applicable in regard to the maritime component of the drug trade. Para. 2 also appears to recognize that states can seize stateless vessels engaged in drug trafficking though the wording is not concise. Paras. 3 and 4 promote the concept of flag state acquiescence to search and seizure of their vessels and arrest and prosecution of the traffickers by other states. Para. 3 stipulates that a contracting state encountering a foreign vessel which it suspects of drug trafficking has the right to notify the flag state, request confirmation of the vessel's registry

and request permission to intercept it. Para. 3 does not require that the flag state concede such permission and in the absence of any other provision to the contrary it has to be accepted that if the response is negative the requesting state can do nothing more. Para. 4 attempts to define the extent to which a flag state may authorize a requesting state to exercise jurisdiction over the former's vessel. While subparas. (a) and (b) clearly specify that boarding and searching of suspect vessels are bonafide actions to be allowed subpara. (c) purposefully fails to clarify what subsequent actions are to be taken if drugs are found. Instead, in subpara. (c) it is stipulated that the flag state may authorize the requesting state to take "appropriate action." This is amphibolic wording. By its ambiguity it means that arrest, prosecution and penalization are permitted courses of action. Realistically, these subsequent courses of action could just as easily have been stated in concise terms in the same manner as done for the "board" and "search" authorizations. Because of the way the paragraph (para. 4 as a whole) is phrased the specific inclusion of these courses of action would not have imposed any further obligations on the flag states than otherwise exist in the article. This raises the subject of the overall weakness of Art. 17. The use of the verb "request" and phrases "may authorize" and "may so notify" mean that the response of a flag state to requests from other states is wholly discretionary. If the flag state chooses not to comply with requests from other states there is little the latter can do. The only thing that is required of a flag state is that it respond quickly, whether positively or negatively, to requests for interception of its flag vessels by other states. Para. 7 establishes this point. This paragraph also requires all contracting states to have

a designated governmental agency or entity authorized to accept the requests of other states. To further comment on the prior point, it is presumed that a flag state must respond to a request though the paragraph *per se* does not require a reply to be given. The fact that this seems to be the case does not mean that if a flag state fails to respond it has then tacitly consented to the requesting state's demand for interception. The U.S. has interpreted lack of response on the part of a flag state to mean consent, but under the convention no such construction would be justified.⁵⁶ The validity of this point is attested to in Art. 2, paras. 2 and 3 which require states to respect the sovereignty of other states and refrain from projecting their jurisdiction in others' territories. Para. 9 has significance because it encourages states to formulate agreements and treaties which embrace the scope of Art. 17, but which streamline the procedural aspects of cooperative arrangements so as to promote effectiveness and efficiency in the practical application of the 'assent' concept. The ideal dimension to be included in such treaties is the incorporation of an open right of interdiction. In such agreements all the contracting states (of the agreement) will have consented to the interception of their respective flag vessels by any of the other contracting members at any time, anywhere and without the need for advance approval from the flag state. Additionally, the types of measures which the interdicting state may take in follow-up to the seizure inclusive of arrest, prosecution and penalization would be included. Already, agreements of this kind exist though not with the degree of scope envisaged here. One example is the U.S.-U.K. agreement wherein the U.K. consents to the boarding of private vessels flying the British flag and flags of Grand Cayman and Turks and

Caicos by US authorities within specified areas of the Caribbean Sea, Gulf of Mexico, western Atlantic Ocean and within 150 miles of the U.S.'s entire eastern seaboard.⁵⁷ Other such agreements have been concluded by the U.S. with the Bahamas⁵⁸ and Haiti.⁵⁹ The last two paragraphs (paras. 10 and 11) of Art. 17 are straightforward technical provisions; the contents of which are more or less taken right from the Law of the Sea.

In addition to dealing with the extraterritorial parts of the sea the 1988 Anti-Trafficking Convention recognizes the trafficking problems associated with free trade zones and free ports, notably those comprising parts of seaports. Art. 18, para. 2, subpara. (a) requires contracting states to endeavour to monitor the flow of goods and persons in free trade zones and free ports and to empower their respective policing agencies to search not only the commercial shipping entering and departing these zones and ports, but also the pleasure craft and fishing vessels found within the areas. Subpara. (c) requires contracting states to endeavour to establish and maintain surveillance in the harbours and wharf areas of these zones and ports.

Lastly, the apparent endorsement of the objective-territorial principle as a basis by which contracting states can unilaterally assert their jurisdiction extraterritorially needs to be reconciled. Art. 4, para. 1, subpara. (b), item (iii) reads in such a manner as to indicate that this is indeed the case. Paraphrased and simplified, the provision stipulates that a contracting state may implement measures establishing its jurisdiction over select drug offences committed beyond its territorial limits but which are intended to provoke commission of a broader group of drug offences within the state's territory, or which

would have done so if apprehension had not been effected. This is clearly the application of the objective-territorial principle but with the direct 'cause and effect' link omitted. Because Art. 4 cross-references parts of its provisions with provisions contained in Art. 3 one has to refer to the pertinent provision in the latter to ascertain the select drug offences embraced by the provisions in Art. 4. In this case the applicable cross-reference involves Art. 3, para. 1, subpara. (c), item (iv). This provision stipulates that contracting states shall establish as criminal offences acts involving "participation in, association or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established" as drug offences according to the convention. Effectively, Art. 4, para. 1, subpara. (b), item (iii) merely ensures that these offences retain their criminal character when committed extraterritorially and conjunctly extends the right of the contracting states to exercise their jurisdiction over them extraterritorially. However, this provision incorporating the objective-territorial principle does not sanction contracting states to unilaterally project their jurisdiction extraterritorially in regard to foreign flag vessels. The reason is that no specific scope to the application of jurisdiction extraterritorially is offered and in the absence of such clarification it must be presumed that it is not the intent of the convention to contravene existing international law. In other words, it is unlikely that Art. 4, para. 1, subpara. (b), item (iii) is intended to be applied *vis-a-vis* such offences committed onboard foreign flag vessels. Instead, it is more than likely that the phrase "outside its territory" refers to a state's own flag vessels and to stateless vessels which are situated

beyond the territorial limit of the state. In summary, this provision does not reflect codification of the objective-territorial principle *per se* but rather a modification in meaning thus permitting limited application of it.

7.2.6 The Mutual Assistance Convention (1977)

Concluded on 9 June 1977 the Mutual Assistance Convention currently has 22 contracting states.⁶⁰ In overview it has to be said that the emphasis of the convention is on the suppression of a variety of customs offences unrelated to illicit drugs. Moreover, the convention is a procedural device for mandating co-operation between the customs administrations of contracting states in relation to an array of offences of which drugs are but one facet. The pertinent provisions focusing on drug trafficking are contained in Annex X. The unique dimension of the Mutual Assistance Convention is that contracting states need not accept Annex X if they so desire.⁶¹ Contracting states can be selective in the annexes they choose to adhere to. However, once they have acceded to Annex X then, under Art. 10 of the Body of the Convention, it forms an integral part of the convention and is binding upon them. As opposed to the treaties examined previously the Mutual Assistance Convention contains several provisions of an operational character regarding the illicit drug trade, both in general and *vis-a-vis* the maritime component specifically. These provisions are operational in nature because they prescribe actions which the customs agencies may undertake to expose the drug trade inclusive of intelligence gathering and investigatory work. Of the 21 articles comprising Annex X Arts. 3, 4, 8, 10, 13, and 15 - 21 are the key provisions relat-

ing to mutual assistance on drug trafficking. Art. 3 requires the customs agency of a contracting state to relay information and intelligence data it has obtained on trafficking activity to the customs agencies of other contracting states which may be affected by the activity they have uncovered. Under para. (b) of this article data on vessels engaged in or suspected of involvement in drug trafficking is to be forwarded. Art. 4 requires the customs agencies of the contracting states to assist each other in surveillance operations by tracking all phases of a drug trafficking operation transpiring within their respective territorial limits but which affect other contracting states. Para. (d) of Art. 4 specifically includes ships as one of the transport modes to which surveillance is to be extended to. Art. 8 promotes the concept of joint investigatory operations involving the customs agencies of two different contracting states physically operating within the territorial limits of one or the other state. In essence, this article fosters the extraterritorial operation of a given customs agency of a contracting state provided it is confined to within the territorial limits of another contracting state and based upon the request of the latter. Arts. 10 and 13 in conjunction with Arts. 15 - 21 require contracting states to maintain databases on individuals engaged in drug trafficking, the methods of smuggling utilized and, specifically, the modes of maritime transport employed and to furnish all their data to a central Council which disseminates the data to the other contracting states. Overall, it has to be said that the provisions of the Mutual Assistance Convention complement the provisions of other international anti-drug conventions by providing a tangible framework for the establishment of a global drug intelligence network. The convention does not provide for the applica-

tion of any counter-trafficking measures on the waters beyond the territorial limits of states. However, in a tacit way it effectually advocates the installation of a worldwide intelligence system to monitor the movement of all vessels traversing the high seas via the recording of their entry and exit from the contracting states' territories (eg. ports, harbours, rivers, bays, yacht basins, etc.). Art. 4 sanctions states to conduct surveillance operations within their respective territorial seas and contiguous zones. Furthermore, there is no provision within the Law of the Sea stipulating that states cannot conduct surveillance operations on the waters beyond their territorial limits.

7.3 Other Measures Of Law Enforcement On The Sea

All that has been said in the preceding text of this chapter has been concerned with law - specifically, international law and how it affects and regulates the states acceding to it. However, the chapter would be incomplete without the mention of a couple of additional but different aspects of drug control on the sea. The first concerns the unilateral assertion of state jurisdiction beyond the territorial limits of the state. The other involves interdiction beyond the territorial limits of the state but which is recorded as effected within the territorial limits of the state. As one may anticipate both are rather dubious though the latter must be labelled as outrightly illegitimate. Currently, for each case there seems to be only one state practising these forms of law enforcement. Therefore, the review of these two aspects of drug control on the sea is presented within the context of how the respective states involved employ them.

To combat the high level of maritime drug trafficking experienced

by the United States legislation has been enacted extending its customs waters beyond the set limit of its contiguous zone.⁶² The basis for doing so is to allow the law enforcement agencies concerned to legally (both from the standpoint of international law and the US judiciary) be able to interdict motherships, which commonly hover beyond the 24-mile limit of the contiguous zone, and intercept drug-laden vessels well before they reach US coastal waters, notably those transiting the Caribbean Sea and Gulf of Mexico. However, in effecting some seizures and the subsequent prosecutions the U.S. transcended elemental presumptions of jurisprudence rooted in international law. The problem has been that some of the interdictions effected did not fully meet the legal criteria stipulated in either customary international law or convention law, yet in some cases the US courts allowed conviction. Part of the problem stems from the nature and structure of US law which allows variability in application. Consequently, in judicial proceedings the interpretation of the law applied by the courts has fluctuated and been inconsistent. Examples of cases where conviction resulted from unsound interpretation are United States v. Howard-Arias⁶³ and United States v. May-May.⁶⁴ In the former the court found that seizure in violation of international law was acceptable in order to carry out national policy. Because the U.S. has decreed drugs a national security problem this response of the court appears to sanction the use of the protective principle.⁶⁵ In the latter case the US court found that protection of the flag state over one of its vessels is only guaranteed if that state is a signatory of the Law of the Sea conventions because the high seas freedoms contained therein are only accorded to signatory states, not non-signatory states. This finding stretches credibility in that the

U.S. is essentially saying there is no customary Law of the Sea extant governing the world community as a whole. It is because of trends like these that the counter-trafficking measures accorded to states under international law are subject to controversy and prone to alteration on a level one must label optimistically as progressive but negatively as dangerous. Though at this time the U.S. is alone in promoting the above positions it appears that the extant, formalized regime of the Law of the Sea as it regulates drug trafficking is being gradually eroded. The threat posed by maritime drug trafficking has ensured the interjection and acceptance of the objective-territorial and protective principles. However, more importantly, the incorporation of these principles, particularly as done by the U.S., nurtures the emergence of the universality principle as a basis by which to tackle the maritime drug trade. On a subliminal level the concept of universal abhorrence for the drug trade is already an entrenched concept within the global community. No legitimate state will publicly adopt a contrary stance. It is only in application that states diverge in viewpoints. The fact that the U.S. is a 'superpower' and one of the key players in world affairs advances the development of the above perspectives somewhat quicker than they otherwise would evolve if advanced by other states.

The second aspect of drug control on the sea to be commented upon concerns the furtive projection of state jurisdiction beyond the territorial waters of the state to apprehend drug traffickers. Because of the illegitimacy of this action the state employing such measures will remain anonymous. In the way of identity all that will be said is that it is an Asian coastal state which claims solely a 12-mile territorial sea. To combat drug trafficking on the sea this state seizes vessels of

regional registries which its patrol craft encounter on the high seas in proximity to their territorial sea but records the geographical coordinates of the seizures as within its territorial sea limit. For example, if a drug-laden vessel is found 14 n.ms. off the baseline (2 n.ms. beyond the outer limit of their territorial sea) in the arrest report it is recorded as having been seized 11.8 n.ms. from the baseline (0.2 n.ms. inside the outer limit of the territorial sea). All the vessels interdicted in this manner are indigenous craft and those onboard are generally illiterate. The reason this state can get away with this form of interception stems in part from the ignorance of the drug smugglers and partly from the fact that other states aware of it quietly condone the practice. Simply put, as long as those seized are guilty (as evidenced by the drugs found) who cares where they were arrested. To clarify the point about the ignorance of the traffickers it must be observed that many of them are indigenous people of the region which, while possessing intimate knowledge of the region's waters and inbred 'feel' for navigation, lack the state-of-the-art navigational equipment for determining precisely their position in cartographic terms and are oblivious to politically decreed delimitations of maritime boundaries. In other words, many of these indigenous smugglers simply do not know where they are in relation to the territorial sea limit when apprehended and can do little to refute the falsified claims of the prosecution. Obviously, the illegitimacy of this state's actions only arises in regard to foreign vessels because there is no attempt by the state to contact the countries of registry or origin of the trafficking vessels. By not doing so this state rejects the Law of the Flag theory and has unilaterally extended its jurisdiction onto the high seas in contraven-

tion of the Law of the Sea. Realistically, the likely long-term affect of this practice will be reinforcement of the universality principle as a basis by which to interdict maritime drug smugglers. Moreover, if condemned for their behaviour the state in question may invoke the protective principle as the basis for its actions and cite the U.S.'s behaviour as justification for their response. The one dilemma that arises would be how to justify the invocation of the protective principle. Virtually all extraterritorial seizures involve drug shipments not destined for the state but ones which had been exported from it.

Notes And References For Chapter VII.

1. D. J. Harris, Cases and Materials on International Law (London: Sweet & Maxwell, 1983), p. 38.
2. 8 LNTS 187; UKTS 17 (1921); 6 AJIL Supp. 177; 1 Bevans 855; 105 BFSP 490; Cmd. 1520; 38 Stat. 1912; T.S. No. 612; 28 Vert A 363.
3. See UN Doc. E/CONF.82/13 of 18 December 1988.
4. 520 UNTS 204; UKTS 23 (1979); 18 UST 1407; ATS 31 (1967); 2 Ind JIL 104; 1969 RTAF 32; T.I.A.S. No. 6298; 45 Vert A 612.
5. 1019 UNTS 175; 32 UST 543; Cmd. 7330; 10 ILM 261; JOF 19 Jan 77; 1977 RTAF 9; T.I.A.S. No. 9725; 55 Vert A 724; UN Doc. E/CONF.58/6.
6. LN Doc. C.286(1).M.174(1).1936.XI of 1 January 1937; 12 UNTS 208.

7. The 1936 Suppression of Trafficking Convention entered into force on 26 October 1939 and as of 1 January 1986 the following 37 states have ratified it or the amended version: Austria, Belgium, Brazil, Cameroon, Canada, Chile, China, Colombia, Cuba, Dominican Republic, Egypt, Ethiopia, France, Greece, Guatemala, Haiti, India, Indonesia, Israel, Italy, Ivory Coast, Japan, Jordan, Kampuchea, Laos, Lichenstein, Luxembourg, Madagascar, Malawi, Mexico, the Netherlands, Romania, Rwanda, Spain, Sri Lanka, Switzerland and Turkey. Because all states except for Kampuchea have ratified the 1961 Single Convention or its amended version Art. 9 of the 1936 Suppression of Trafficking Convention has ceased to be in effect for those signatories.

8. S. K. Chatterjee, Legal Aspects of International Drug Control (The Hague: Martinus Nijhoff, 1981), pp. 195-96.

9. Ibid, p. 196.

10. UKTS 10 (1984); Cmnd. 9153.

11. S. K. Chatterjee, op. cit.

12. As of 1 January 1986 the following 54 states have not ratified the 1961 Single Convention: Albania, Angola, Antigua & Barbuda, Bahrain, Belize, Bhutan, Brunei, Burundi, Cape Verde, Central African Rep., Comoros, Congo, Djibouti, Dominica, El Salvador, Equatorial Guinea, Gambia, Grenada, Guinea-Bissau, Guyana, Kampuchea, Kiribati, Liberia, Maldives, Malta, Mauritania, Mauritius, Mongolia, Mozambique, Nauru, Nepal, North Korea, Oman, Qatar, St. Christopher & Nevis, St. Lucia, St. Vincent & the Grenadines, Samoa, San Marino, Sao Tome & Principe, Seychelles, Sierra Leone, Somalia, Suriname, Swaziland, Tanzania, Tuvalu, Uganda, U.A.E., Vanuatu, Vietnam, Yemen Arab Rep., Yemen Democratic Rep. and Zimbabwe.

13. In 1967 the issue of the oceans being *res communis* was first raised before the UN General Assembly when the Maltese ambassador, Dr. Arvid Pardo, proposed the drafting of a declaration and treaty codifying his "common heritage of mankind" doctrine.

14. 516 UNTS 205; UKTS 3 (1965); 15 UST 1606; 52 AJIL 834 (1958); ATS 12 (1963); Cmnd. 2511; 53 ILS 194; Singh 1454; T.I.A.S. No. 5639.

15. 450 UNTS 82; UKTS 5 (1963); 13 UST 2312; 52 AJIL 842 (1958); ATS 12 (1963); Cmnd. 1929; 53 ILS 203; T.I.A.S. No. 5200; 43 Vert A 597.

16. 499 UNTS 311; UKTS 39 (1964); 15 UST 471; 52 AJIL 858 (1958); ATS

- 12 (1963); Cmnd. 2422; 53 ILS 221; 87 JDI 512; 1965 RTAF 100; T.I.A.S. No. 5578.
17. 559 UNTS 285; UKTS 39 (1966); 17 UST 138; 52 AJIL 851 (1958); Cmnd. 3208; 53 ILS 213; JOF 24 Dec 70; 1970 RTAF 119; T.I.A.S. No. 5969.
18. UN Doc. A/CONF.62/122; Brownlie I 127; Cmnd. 8941; 21 ILM 1261 (1982).
19. D. J. Harris, op. cit., p. 284.
20. Ibid, p. 286.
21. Number of ratifications as of 10 June 1989 while number of signatories represents total number of states and entities signing the convention between 10 December 1982 and 1984.
22. P. W. Birnie, "Piracy - past, present and future," Marine Policy, Vol. 11 (July 1987), pp. 163-183.
23. K. Booth, Law, Force And Diplomacy at Sea (London: George Allen & Unwin, 1985), p. 40.
24. S. P. Menefee, "Terrorism at Sea: The Historical Development of an International Legal Response," Violence At Sea, ed. B. A. H. Parritt (Paris: ICC Publishing, 1986), pp. 191-220.
25. The Vienna Convention on the Law of Treaties 1969 entered into force on 27 January 1980. As of 1 January 1988 this convention had 80 ratifications and accessions. (For reference see: UKTS 58 (1980); 63 AJIL 875 (1969); Cmnd. 7964; 8 ILM 679 (1969); 9 Ind JIL 288; 1969 UN JYB 140; 29 ZAORV 711.
26. UNCLOS III enters into force 12 months after deposit of the sixtieth instrument of ratification. (See Art. 308, para. 1.)
27. D. J. Harris, op. cit., p. 286 [footnote 20].
28. Ibid.
29. Ibid.
30. The Philippines is an example of such a state.
31. G. G. Fitzmaurice, "Some Results of the Geneva Conference on the Law of the Sea," 8 ICLQ Part I (January 1959), pp. 73-121.
32. UN Office for Ocean Affairs and the Law of the Sea, Law Of The Sea Bulletin, No. 11, July 1988 (New York), pp. 51-53.
33. The 13 states are: Argentina, Benin, Brazil, Congo, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Peru, Sierra Leone, Somalia and Uruguay. (UN Office for Ocean Affairs and the Law of the Sea, op. cit.,

p. 49.)

34. Cape Verde and Chile are two examples. (Office of the Special Representative of the Secretary-General for the Law of the Sea, Status of the United Nations Convention On The Law Of The Sea (New York: UN Publications Division, 1985), pp. 12-13.

35. Office of the Special Representative of the Secretary-General for the Law of the Sea, op. cit., pp. 12-13 & 28.

36. Ibid, p. 13.

37. Ibid.

38. G. N. Barrie, "Fisheries and the 1982 United Nations Law of the Sea Convention," The Law Of The Sea, ed. T. W. Bennet et al (Capetown: Juta & Co., 1986), pp. 43-49.

39. K. Booth, op. cit., p. 137.

40. R. R. Churchill and A. V. Lowe, The Law Of The Sea (Manchester: Manchester University Press, 1983), p. 130.

41. A. L. Hollick, U.S. Foreign Policy And The Law Of The Sea (Princeton: Princeton University Press, 1981), p. 326.

42. N. S. Rembe, Africa And The International Law Of The Sea (Alphen aan den Rijn: Sijthoff & Noordhoff, 1980), p. 163.

43. D. P. O'Connell, The International Law Of The Sea, Vol. I (Oxford: Clarendon Press, 1982), p. 578.

44. E. Young, "The EEZ: International enforcement problems," Maritime Policy Management 4 (1977), pp. 315-324.

45. S. S. Lewis, "The Marijuana on the High Seas Act: Extending U.S. Jurisdiction Beyond International Limits," The Yale Journal of World Public Order, Vol. 8 (1982), pp. 359-383.

46. A. W. Anderson, "In The Wake Of The Dauntless The Background And Development Of Maritime Interdiction Operations," The Law of the Sea: What Lies Ahead?, ed. Thomas A. Clingan (Honolulu: Law of the Sea Institute, 1988), pp. 11-40.

47. See for example: United States v. Angola, 514 F. Supp. 933 (S.D. Fla. 1981) and United States v. Caicedo-Asprilla, 632 F. 2d. 1161 (5th Cir. 1980). Other cases demonstrative of the application of the principle in general are: United States v. Arra, 630 F. 2d. 836 (1st Cir. 1980); United States v. Dominguez, 604 F. 2d. 304 (4th Cir. 1979); United States v. Egan, 501 F. Supp. 1252 (S.D.N.Y. 1980); and, United

States v. May-May, 470 F. Supp. 384 (S.D. Tex. 1979).

48. See for example: United States v. Egan, 501 F. Supp. 1252, 1257 (S.D.N.Y. 1980) and United States v. Romero-Galve, 757 F. 2d. 1147, 1154 (11th Cir. 1985).

49. S. S. Lewis, op. cit., p. 378.

50. See: United States v. Glen-Archila, 677 F. 2d. 809 (11th Cir. 1982). This case involved a British vessel carrying 13.6 m.ts. of marijuana which was seized 20 miles off the Florida coast. (At the time of the incident the U.S. claimed only a 12-mile contiguous zone.)

51. See: United States v. Marino-Garcia, 679 F. 2d. 1373, 1382 (11th Cir. 1982). In this case the court contemplated the applicability of the universality principle but eventually rejected it as a viable basis for conviction.

52. See: Frisbie v. Collins, 342 U.S. 519 (1952) and Ker v. Illinois, 119 U.S. 436 (1886). These two cases provide the bases of the 'Ker-Frisbie' doctrine.

53. S. S. Lewis, op. cit., p. 365.

54. See for example: United States v. Postal, 589 F. 2d. 862, 873 (5th Cir. 1979).

55. The 1988 Anti-Trafficking Convention was opened for signature on 20 December 1988 and remained so till 20 December 1989 (as stipulated in Art. 26).

56. See: United States v. Hensel, 699 F. 2d. 18, 28 (1st Cir.), cert. denied, 461 U.S. 958 (1983.) In this case the court decided that because Honduras failed to protest the U.S.'s seizure of one of their flag vessels it had endorsed the action taken by the U.S.

57. See: US-UK Agreement to Facilitate the Interdiction of Vessels Suspected of Trafficking in Drugs, 13 November 1981. (Legal reference is T.I.A.S. No. 10296.)

58. Concluded on 6 March 1985. (See: US Dept. of State, Treaties in Force 10, 77 [1986].)

59. Concluded and entered into force on 22 August 1984. (See: US Dept. of State, Treaties in Force 10, 77 [1986].)

60. The Mutual Assistance Convention entered into force on 21 May 1980 and as of 1 January 1986 the following 22 states have ratified it: Finland, Ireland, Italy, Ivory Coast, Jordan, Kenya, Malawi, Malaysia,

Mauritius, Morocco, New Zealand, Nigeria, Norway, Pakistan, Saudi Arabia, Sri Lanka, Sweden, Tunisia, Turkey, the U.K., Zambia and Zimbabwe. In addition, Austria and Iceland have signed the convention but not ratified it. Of the 22 ratifying states only Turkey and Zambia have not accepted Annex X.

61. States ratifying the convention are only obligated to accept a minimum of one annex out of the eleven annexes in order for their ratification to be valid. (See Art. 15, para. 3 of the Body of the Convention.)

62. See: The Marijuana on the High Seas Act of 1980 (21 USC Sec. 955a - 955d [1981]) as amended by the Anti-Drug Abuse Act of 1986 (P.L. 99-570). Sec. 3202 of the latter act renames the former act the Maritime Drug Law Enforcement Prosecution Improvements Act and substitutes new but comparable provisions to those contained in Sec. 955a - 955d. Additionally, complementary provisions central to the above are found in 46 USC 1901 and 1903 (a) and (c).

63. See: 679 F. 2d. 363, 371 (4th Cir.), cert. denied, 459 U.S. 874 (1982).

64. See: 470 F. Supp. 384, 398 (S.D. Texas 1979).

65. In 1986 Pres. Reagan issued a National Security Decision Directive declaring drugs a national security threat because of "their potential for destabilizing democratic allies and directing an appropriate response from law enforcement agencies, the intelligence community and the Dept. of Defense." Refer: National Drug Policy Board, Federal Drug Enforcement Progress Report 1986 (Washington, D.C., April 1987), p. 1.

VIII. Conclusions And Recommendations.

8.1 Treatise Theme Revisited

In the preceding chapters the maritime trade in illicit drugs was examined comprehensively with emphasis given to both the complexities involved and the inadequacies of the human response. In simple terms, the status quo of the trade has been defined. At this stage two questions become apparent: 1) what can be done to better suppress the trafficking of illicit drugs by sea; and 2) how is this achieved? Considering that the 14,400 m.ts. of illicit substances seized between 1980 - 1986 from the maritime sector represents, on the one hand, only a fraction of what was actually transported by sea, but, on the other hand, 70% of all drugs confiscated globally while being trafficked in the aforesaid period the direction to which improvements in drug control need to be targeted seems clear. If real inroads can be made in suppressing the maritime component of the global drug trade there then will be a commensurate and measurable decrease in the overall supply of drugs extant in the marketplace. Because several of the coastal member states of O.E.C.D. either rank among the world's major drug consumers or serve as principal importation sites for illicit drugs shipped by sea the onus is on them to develop and adopt effective counter-measures to the maritime drug trade, not only as it imputes on the state but also on the regional and international levels as well. Moreover, these states must realize that they are, for the most part, privileged in that they alone

possess both the capability and resources required, on all levels, to effectively tackle the problem with possibility for real success. Though under duress in some cases, the character and strength of their respective societal infrastructures combined with sound economic bases affords them that advantage. Realistically, the issue is more one of resolve on their part. As evidenced by the lacklustre results of many anti-drug initiatives in several OECD states the question of resolve is more important than society recognizes. Because resolve is an intrinsic concept which out of necessity must be contracted from the prevailing legal, political and social regimes extant in a given society and state one must determine the status of attitudes, cultural mores and socio-political conditions therein and then formulate a viable response (read: resolve) based either on the status quo or through modification. It is only through such behaviour that sound and viable counter-trafficking offensives can be mounted by the state.

8.2 Solutions And Strategies For A More Effective Campaign

In implementing more effective counter-trafficking measures against the maritime drug trade there are two areas to consider. The first is the legal framework itself in terms of the written law and the second is the operational side. On the legislative side two jurisdictional regimes need to be considered: the territorial area and the international area. Though statutory problems exist within the respective law codes of some states it has to be said, in all fairness, that domestic legislation is not the cause for the lack of success in combatting drug trafficking. In regard to the international area this is less true because of the paucity in conventions and treaties in force specifically

aimed at drug trafficking therein. Both the 1961 Single Convention as amended by the 1972 Protocol and 1971 Psychotropics Convention put the onus on states to adopt, implement and maintain counter-trafficking measures. They ignore the area beyond the territorial limits of states. The few other treaties in force which some people allude to as exemplary of the applicability of an anti-trafficking doctrine on the international level are, to varying degrees, limited, weak or problematic and none deal with the high seas. The 1988 Anti-Trafficking Convention is a direct effort to fill the void. It attempts to overcome some of the problematic aspects of administrative, judicial and legal differences between states by establishing a communal consensus on counter-trafficking measures. More importantly, it mandates active co-operation and participation as opposed to merely requesting it thus streamlining legal procedures and strengthening the applicability of the anti-trafficking doctrine globally. However, it also does not sanction an open right to seize vessels on the high seas. UNCLOS III is only marginally helpful in that it grants all states the right to apprehend drug traffickers up to 24 n.ms. seaward from the baselines. Furthermore, it lends impetus to the fight against drug trafficking on the high seas by requiring states to co-operate with each other on the issue. Though Art. 108 is relatively useless as written it could be rewritten so as to assimilate drug trafficking to be an offence similar in character to those of piracy *jure gentium*, pirate broadcasting and slave trading under Arts. 99 - 104 and 109, paras. 1 - 3 and grant the concomitant right to all states to search suspect vessels and, where justified, seize them along with their crews and cargoes in accordance with Arts. 105, 109, para. 4 and 110. This would constitute invocation of the universality

principle. Naturally, there are some serious obstacles to be overcome in order to make this suggestion a reality, but it is not unfeasible. However, because neither of the latter two conventions are in force other alternatives must be explored for dealing with the high seas issue. One possibility is for states to collectively draft a specific multilateral treaty regarding the high seas and drug trafficking thereon. Regrettably, the process would take time and entry into force is not assured. In all likelihood the number of ratifying states would be few. A second alternative is for bilateral agreements to be concluded granting the mutual right of high seas seizures of the signatories' vessels by any of the contracting parties. This option offers potential but it remains questionable as to how many states would be willing to conclude such agreements. Moreover, it is doubtful that many of those flag states whose vessels tend to be frequently involved would sign. The agreements the U.S. has concluded with the Bahamas, Haiti and the U.K. only partially exemplify the concept proposed here because they are not mutual. They are steps in the right direction and if states are willing to effect such agreements then the idea should not be hindered. Though of different emphasis and thrust the section on juridical co-operation in the Treaty Of Co-operation Between Denmark, Finland, Iceland, Norway and Sweden as amended incorporates elements of the concept envisaged above.¹ The third option is for states to respectively promulgate national statutes which extend their jurisdiction to extraterritorial areas under strict conditions. In real terms this is a variant of the second option. It, however, offers the best short-term solution. The latter concept is based on the fact that states can consent to the seizure of their respective vessels by other states under

the extant Law of the Flag theory. Consequently, other states are not prevented from enacting legislation which extends their jurisdictions to foreign vessels on the high seas based upon prior consent or acquiescence of the flag states. This concept is similar to that promoted in Art. 17 of the 1988 Anti-Trafficking Convention except that in this case the author is advancing a statutory basis for the idea in domestic law. Nor is the author requiring the formalized structures for and systems of consent stipulated in Art. 17. The U.S. first effected this development with the passage of the Marijuana on the High Seas Act of 1980² followed by the Maritime Drug Law Enforcement Prosecution Improvements Act of 1986.³ As change in the near future is unlikely regarding the various physical components and status quo position of select socio-political factors one must look to pragmatic solutions which can function with the prevailing conditions. Hence, the improvements need to be in policy and in the operational sector accompanied, where necessary, by legal reform. They are itemized below:

- 1) A primary priority should be the establishment domestically of a highly effective intelligence system and concomitant telecommunications network. Effective intelligence gathering is crucial to maintaining a successful interdiction program. By now the reader will be aware that much of the information contained in this treatise is derived from drug intelligence activities and operations. Many law enforcement officers and field operatives in the OECD states declare that if it were not for intelligence information passed on to them from other agencies they would not even have the small level of success they have now.⁴ The majority of drug seizures effected today have resulted from intelligence information. Examples of domestic intelligence organizations and sys-

tems developed to combat the illicit drug trade include New Zealand's National Drug Intelligence Bureau, the U.K.'s National Drug Intelligence Unit and the U.S.'s El Paso Intelligence Center. Because the latter country is so large a suborder of intelligence centres have evolved on the regional level to deal with particular problem areas. The Blue Lightning Operations Center in Miami, Florida is the case example which, perhaps more than anything else, epitomizes the modern, highly sophisticated intelligence unit.⁵ Its command centre functions as a coordination base for all the various law enforcement agencies involved and incorporates the latest technology, equipment and methods of detection and interception thus representing the state-of-the-art in counter-trafficking measures.

2) In conjunction with the above development a prioritization policy should be implemented establishing where the thrust of the anti-trafficking program is to be targeted. Searching and seizing every vessel where the quantity of drug to be found may be negligible is a misguided program. Though the "Zero-tolerance" policy adopted in the U.S. was a laudable concept, it is not a practical policy.⁶ Simply put, it is a waste of money and time to search, seize, process, prosecute and penalize or incarcerate insignificant miscreants and make farce of an overburdened legal system - the very system the state relies on for serving as a deterrent and establishing public order.

3) A corollary of the above and one that is controversial in nature is that in general every state should reformulate their national anti-drug policies such that the objective is not one of ridding society of drugs, but one of containment. In other words, the policy should be one of confining drug use to that certain element in society or percent-

age of population which insists on imbibing such substances - and, in this context, need drugs. As horrid as such a plan may sound it proffers a more realistic approach to tackling the drug problem on all levels inclusive of the trafficking component. There is also precedence for the idea when one considers the alcohol and prostitution issues and looks at the responses of states to these addictions and vices over the past 100 years. Those who advocate and fantasize of a drug-free society - and unfortunately there are many - are dreamers. The worse dimension of this predicament is that several of these individuals are in positions of power or tend to be heard more only because they make the effort to espouse their viewpoints where opportune thus distorting the degree of true public antipathy. Narcotic drugs and psychotropic substances are a part of life and have been since the commencement of mankind's existence on the planet. In the modern age drugs constitute an addiction or vice just as alcohol, gambling and prostitution do. There will always be a portion of society which indulges in such behaviour just as others indulge in the other vices. On this level of rationale it should be conceded that drug use and abuse cannot be eradicated but only contained.⁷ Therefore, all efforts at drug control should be targeted at the level of drug use and abuse above and beyond this primal level of consumption. By focusing education and law enforcement efforts on the broader group of individuals comprising a given society's and state's population one stands a better chance of subduing the epidemic levels of drug use and abuse. In applied terms, this means that enforcement efforts should be directed against the hard drugs and the trafficking networks, and the relevant penal provisions enhanced.⁸ This is not to say that drugs with lower potency factors should be

legalized or decriminalized, but rather that in the operational sphere the counter-trafficking initiatives of law enforcement agencies should not be targeting the soft drugs specifically nor the drug users. Currently, many states have ineffective anti-drug policies though on paper they appear feasible. Moreover, to make their seizure statistics look impressive, justify enforcement expenditures and vindicate to themselves their alleged commitments to drug control several states apprehend minor drug miscreants because the latter are easily targeted and found. The problem with such a philosophy is that the distribution and trafficking organizations supplying the markets are left intact. The emphasis should be on striking at the upper hierarchy behind the drug trade where disruption will elicit dramatic effects downstream in the marketplace. The use of "controlled delivery" is helpful in this case.⁹ And where success in interdiction has been attained severe penal measures need to be applied including the use of capital punishment such as employed in Iran, Malaysia, Singapore, Sri Lanka and, most recently, endorsed in Egypt and the U.S.¹⁰

Of course, in advocating such a position the question arises as to how does a state or society determine the acceptable parameters of drug use and the threshold level above which all the state's resources are brought to bear. In pure empirical and scientific terms, no precise method of deciding this issue exists. Instead, a certain degree of arbitrariness and supposition based on presumption and perception of the true drug situation in a given society will have to suffice. One rather arbitrary way is by settling on a select percentage of the whole population. Alternatively, a census of the drug using population can be fixed based on a summary of drug arrests, hospital emergencies and ad-

dicts in treatment centres. Another method could involve a figure extrapolated from police estimates of consumption for given areas based on the quantities of drugs interdicted and their purity.¹¹ A fourth basis could involve the amalgamation of the above methods into some form of equation where each is a variable and the result a quantitative figure. The actual method adopted for determining the parameters of acceptable drug use will vary from state to state befitting their respective drug cultures and scenes. Increasingly, of late, it appears that more people are beginning to subscribe to the general viewpoint described here, either in whole or in part, though perhaps not the specifics, or have advanced more liberal doctrines.¹²

4) In fighting the maritime drug trade there is no excuse for not using naval forces to help apprehend drug traffickers. The peacetime navy needs to practice and maintain their operational state of readiness. Their participation in drug patrols and counter-offensives would certainly provide beneficial training and, at the same time, complement the extant interdiction forces. In those states which bar the military's involvement in civilian affairs on constitutional or legal grounds an amendment should be introduced permitting the military to assist civilian law enforcement agencies. The needs for frontier security are consonant with the needs for national security and it is foolish not to make use of the personnel and equipment already available. The U.S. recognized this concept and amended the Posse Comitatus Act¹³ with Public Law 97-86¹⁴ thereby allowing military participation in the anti-trafficking campaign. The subsequent Defence Drug Interdiction Act of 1986 further enhanced the military's role in counter-trafficking offensives.¹⁵ The U.K. has followed suit, but not

on as expansive a scale.¹⁶

5) Specialized international programs for monitoring regional ocean areas should be established. Envisioned as a collaborative effort by the states of a region, the program utilizes a combination of intelligence, surveillance and technical innovation to track all maritime traffic in the region, with particular emphasis on the small craft and vessels which are not commercial carriers. Though several obstacles, namely administrative and technological, would need to be overcome the direct benefit would be concrete cognizance of vessel movements in the region. In turn, this would permit faster recognition of suspicious movements, facilitated identification of suspect craft and rapid, perhaps instantaneous, background data and file checks. Examples of such initiatives are Project Cook¹⁷ and the Pompidou Group's MAR-Info Program.¹⁸ In the Project Cook proposal the Pacific Ocean is divided into three regions and the focus is primarily on the movement of drugs out of Southeast Asia. The U.S., Australia and New Zealand will respectively serve as the intelligence collation centres while the other states within the respective regions all monitor the maritime traffic found in their sectors and rapidly forward the data to their regional centre. Though abandoning the drafting of its own anti-trafficking treaty for Europe, the emphasis of which was on the maritime sector, the Pompidou Group has embarked on developing a program of coordination and harmonization in port controls and maritime surveillance amongst its member states.¹⁹ Further developments along these lines would be most prudent and beneficial.

6) Another alternative for countries lacking their own resources for combatting the maritime drug trade is to allow an outside state

which has the resources to operate either on their behalf or jointly with local personnel in their waters. On a limited basis such operations are already transpiring in the Caribbean region between various island states and the U.S.²⁰ Problematic legal constraints on both parties' side would, of course, have to be overcome. The U.S.'s amendment of the Mansfield Amendment²¹ by enactment of Sec. 605 of the International Security and Development Cooperation Act of 1985 is demonstrative of the law changes required to permit such intraterritorial counter-trafficking offensives. It permits US law enforcement personnel to be present in other states' waters, when so invited, and assist local forces, but under rigid guidelines. Support on the international level for this concept is found in the 1977 Mutual Assistance Convention. Art. 8 of Annex X advances the idea in relation to customs investigations of drug activities.

7) Domestically, the responsible law enforcement agencies should develop bilateral co-operation relationships with all the ship-owning companies and vessel operators based or operating within their domains which engage in foreign trade. This idea is not novel yet it appears to be greatly under-utilized. The type of relationship initiated can vary, but at minimum it should involve a commitment whereby the vessel operators undertake to implement more secure methods of cargo conveyance, maintain effective security onboard their vessels when abroad and provide enhanced documentation procedures. The complete adoption of these ideas would measurably assist drug enforcement agencies in suppressing the maritime drug trade in two ways. Imprimis, it would become harder for traffickers to find vulnerable cargoes and ships much less access such cargoes and vessels. Secondly, identification of suspect

loads and vessels would be facilitated via the incorporation of an automated manifest system in documentation processing. The latter allows copies of documentation to be provided to the customs services either in advance of vessel arrival or instantaneously upon arrival thus permitting rapid evaluation of the risk factor presented by a vessel and its cargo. The US Customs Service has seen the benefit in such relationships and embarked on a program of implementing agreements of this kind wherever feasible. Currently, several shipping companies have signed such agreements with the USCS.²²

However, by the same token, law enforcement agencies must better appreciate the difficulties pervading commerce and the often sinister precincts in which vessel operators function in. Shipping companies have little control over many of the cargoes they carry in the sense that the methods of carriage preclude searches and whatever illicit activities transpire on the wharves in ports is beyond their control. Furthermore, scales of economy apply to vessel operations which means there is little time, manpower and capital available for vessel rummages by the crew and installation of elaborate security systems. This notably applies to several of the vessel operators in OECD states which are fighting to remain in business in the face of cut-throat competition from foreign operators with lower operating costs. Additionally, a philosophical debate is entwined in this issue concerning where the role of policeman falls. Vessel operators maintain, and rightfully so, that they are not policeman and nor should they be expected to act as such beyond exercising a certain nominal level of security over their operations. On the other hand, law enforcement agencies are quick to maintain that they alone are the entities duly equipped, trained and

authorized to exercise police powers and that no other individual or entity is so sanctioned. Yet, in regards to drug trafficking law enforcement agencies are increasingly placing the burden of controlling such activity on the carriers. In other words, they appear to be delegating some of their responsibilities to the carriers and concomitantly but unduly penalizing them when cases of smuggling are uncovered. Such behaviour has been practised in the U.K. and U.S. wherein the customs services either attempted to or successfully persecuted the carrier for drug trafficking. Examples of transportation companies so affected include Air Canada,²³ Grancolombiana Lines²⁴ and Sea-Land.²⁵ It must not be construed that non-prosecution of those carriers which purposefully engage in drug trafficking or exercise total negligence in regard to security is being advocated for it is not. It is maintained, however, that carriers which unknowingly convey illicit substances because the drug loads are concealed within the cargo or planted on the vessel or transported by a small number of the crew should not be liable for such carriage. Penalizing the carrier serves no useful purpose aside from antagonizing the commercial sector and exposing the frustrated sentiments of drug enforcement agencies.

8) Where viable, sound and of proven benefit the latest developments, innovations and inventions in technology should be applied in the anti-drug campaign. Moreover, the law enforcement community in tandem with the governmental sector should encourage such a trend via whatever mechanisms at their disposal. *Vis-a-vis* the maritime drug trade this means the invention of new detection and surveillance equipment, construction and design of more potent interception vehicles and improvement in data processing and evaluation systems. As observed in

earlier chapters such developments are being nurtured in some states, but, unfortunately, the trend has yet to attain widespread dissemination. Among recent inventions oriented towards combatting maritime drug trafficking and worthy of mention herein are the 'Blue Thunder' boat, the Coastal Security System, the CONDOR Contraband Detector System and the airship surveillance platform. The first was elaborated upon in Chapter V but the other three systems and vehicles are briefly described here. CSS utilizes a series of radar installations positioned along the coastline which via their sophisticated hardware jointly monitor offshore marine traffic on a more effective and detailed level than presently available.²⁶ CONDOR CDS involves mass spectrometry utilizing highly sensitive equipment which may be located either in fixed locations or onboard mobile land-based units.²⁷ The advantage of this system is that it offers rapid but effective cargo inspection and is particularly well-suited for checking containerized cargoes and personal luggage *en bloc* - items which generally need to be reviewed quickly. The airship surveillance platform involves zeppelin-like craft which provide sturdy, economical and effective offshore observation posts. An array of these units positioned strategically offshore provides excellent surveillance bases, allows advanced detection of suspicious movements and enhanced tracking capabilities over suspect vessels. All of these devices, systems and vehicles have demonstrated merits. However, regarding implementation it has to be said that a given state should only select those actually necessary for enhancing or complementing their extant counter-trafficking measures. As a straight rule the introduction of new interdiction systems by a state must not be predicated upon commercial and political considerations though such is

often the case in reality. As a last comment on this topic it has to be noted that technological developments inevitably also benefit drug traffickers though in different ways. The recent development of a chemical which causes detector dogs to become dysfunctional in their trained role of drug detection is such an example.²⁸

9) Finally, in addition to the recommendations given above, which are specifically directed towards the maritime sector, it must be added that all other measures and policies of proven worth applied in general are to be endorsed. Simply put, anything that prohibits and prevents the production, trafficking, distribution and consumption of illicit substances must be labelled an effective measure, provided they are just. Among these are preventive education, effective policing in general and functional legal systems. However, in applied terms, one other area of drug control which needs to be more fully implemented is the 'forfeiture of assets' concept. Under this doctrine convicted drug traffickers are stripped of all assets they possess which have been derived from the proceeds of their trafficking activities. Though several OECD states along with states outside the O.E.C.D. have incorporated the concept within their legal provisions and are to be complimented that alone is not enough.²⁹ All states should adopt such a doctrine within their respective municipal codes thus preventing them from being havens for drug proceeds. The basis for this advocacy is the international character of financial services and banking today which allows traffickers diverse avenues for hiding their money in countries whose domestic legislation does not recognize the concept and which neither co-operate in investigations by other states into such matters. The validity of this point is constantly being confirmed today and thus

needs to be resolved. The global adoption of the forfeiture of assets concept in conjunction with bilateral co-operation pacts on investigation into hidden drug proceeds would become a strong disincentive. Examples of the latter are the U.S.-Cayman Islands and U.S.-Switzerland agreements. Though this would not stop drug traffickers from their activity it would make it harder for them to conceal their assets and make them more vulnerable to prosecution.

This list is not absolute! However, the implementation of these recommendations as befitting a state's drug dilemma and available resources would measurably enhance both the national and international anti-trafficking campaigns.

8.3 A Closing Caveat

As a closing comment and admonition to those responsible for developing, implementing and coordinating counter-trafficking measures and policies certain social and political realities need to be highlighted. On the whole this treatise has presented a rather negative perspective of the maritime drug trade in that several of the issues discussed and topics analysed appear to suggest that the drug smuggler holds the upper hand. It has to be realized that drug trafficking exploits the weaknesses, corruptibility and inability of states to counter such activity. Regardless of the degree to which geography along with other natural, technological and technical components favour the traffickers, they would not succeed to the degree they do without the co-operation of the states themselves. This co-operation, which is inadvertant and unintentional, results from deleterious internal forces and factors which impede the effectiveness of anti-trafficking

initiatives. In many of the drug producing and transit states the contributing factors are civil strife, endemic corruption and extensive poverty. The prevalency and entrenchment of these factors makes it virtually impossible to stem the trade in illicit drugs from these sources. Among OECD states the problem in suppressing the drug trade is rooted in economic considerations and the principles of democratic rule. A secondary but under-rated factor contributing to the problem among select Western states stems from negatory aspects of human behaviour. All governments of the OECD states operate on budgets and thus the resources they can allocate to the various facets of drug control are limited. Several of them simply cannot afford the diverse and expensive equipment which technologically exists much less maintain and operate it. Patrol vessels, helicopters, aircraft, radar installations, observation posts, satellites, telecommunications systems, weaponry and data processing equipment all require large capital investments. Obtaining sufficient personnel, training them and retaining them put further strains on a perennial budget which is of limited means. Hence, something less than adequate is settled for. Though pessimistic sounding, all of these negatory points reflect reality. No state is immune to this phenomenon. Illustrative of this point was the \$70 million (US) budget cut in 1988 in the US Coast Guard's interdiction program.³⁰

In context with the above issue the question arises as to what levels of equipment, manpower and overall police presence are enough. The question becomes paramount when considered in the context of a need for a balance between sustaining the concept of a free society as more than a notion on the one hand and the need for law enforcement controls on the other hand. The development of enforcement systems of such

technological, technical and functional capability as to see and discern all with unfailing precision would mean the concept of a wholly defensible and enforceable frontier was then a reality. However, the implementation of control measures which are omnipotent, ubiquitous, omniscient and result in draconian anti-drug offensives would create an interdiction program that is Orwellian in character. Unfortunately, a synonym for this is something negatively known as the 'police state'. While aspiring to idealistic goals of utopia, crime-free and drug-free societies it is highly questionable whether many Western societies would be willing to accept such 'perfect settings' based on omnipresent equipment and observers at the expense of certain freedoms held most dear, but in an imperfect world. Ignoring the socio-political perspective but focusing solely on the commercial sector one finds an analogous resentment to the above control measures. The antagonism and uproar to be incurred from the commercial sector as a result of exhaustive and protracted vessel rummages and cargo searches would be immense. In a free society based on commerce the government should not and, in many cases, could not afford to interfere with the very activity by which the state is sustained. Human behaviour is an additional factor which regrettably tends to be overlooked. On the individual level one finds some law enforcement personnel lack the dedication and diligence required for operating an effective interdiction program. Because the operatives in the field represent the operational manifestation of an anti-trafficking campaign, it is essential they are committed to the effort. In reality, however, there are a myriad of reasons rooted in either cultural, economic, legal, political, psychological or social bases which preclude some individuals from being totally dedicated to

their tasks. On the group level one finds a contextually similar but somewhat different predicament. The pervasive presence of drugs means that in many countries there will be more than one law enforcement agency involved. Unfortunately, for reasons of prestige, reputation, employment and funding rivalry sometimes exists between the various agencies concerning their roles. Though this will never be acknowledged publicly, in reality it is a problem in some countries. The direct results of the situation are a lack of communication, co-operation and coordination between agencies which leads to bungled counter-trafficking offensives. Lastly, compounding the dilemma is the diversity in states' views regarding the threat which various drugs pose to their societies. On the international level this divergence in viewpoints fosters discord in the anti-trafficking campaign with states pursuing their own anti-drug initiatives. Regrettably, a solution to this dilemma is difficult since states retain the sole right to manage their own domestic affairs.

Notes And References For Chapter VIII.

1. The Treaty Of Co-operation Between Denmark, Finland, Iceland, Norway and Sweden entered into force on 23 March 1962. Amendments were made in 1971, 1974 and 1983. Arts. 2 -7 contain the provisions on juridical co-operation. Refer: 434 UNTS 145; 10 EYB 940 (1982); 1 Peaslee 1135.
2. 21 USC Sec. 955a - 955d (1981).
3. Refer: Anti-Drug Abuse Act of 1986, Title III (Interdiction), Subtitle C (Maritime Drug Law Enforcement Prosecution Improvements Act) signed into law on 27 October 1986. (P.L. 99-570.)
4. This statement is the author's assessment of the value of intelligence data based on interviews with the field personnel of various law enforcement agencies (eg. UK C & E, USCG and USCS).
5. Also known formally as the Joint Marine Interdiction Command Center.
6. "President launches anti-drug task force during speech at Academy," Commandant's Bulletin, Issue 5-88 - May 31, 1988, pp. 2-5.
7. Law enforcement agencies conceding this perspective include the New Zealand Customs Dept., Dutch CRI and Australian Customs Service. See: D. J. Blakemore and D. Haigh, A Strategic Study - Cocaine (Christchurch: NZ Customs Dept., 1986), p. 11.; A. J. van Doorn, (interview with Deputy Head of the Narcotics Branch, National Criminal Intelligence Service of the Netherlands in The Hague on 10 February 1988); and, D. McDowell and B. Waldron, (interview with Intelligence Officers of INTELL Sec., ACS in Canberra on 29 September 1987).
8. The distinction between 'hard' and 'soft' drugs is difficult to define in precise terms. Realistically, it is a relative concept and determined on socio-political grounds rather than scientific bases. Fundamentally, the distinction should be based on factors of addictiveness, effect, potency and the reaction of an individual to a given drug. Among the common drug categories cannabis is deemed a soft drug while cocaine, heroin and LSD are all labelled as hard drugs.
9. For a comprehensive analysis of controlled delivery see the following report: CCC, Report - Customs/Police Controlled Delivery Seminar [Doc. 32.934/TE7-80423] (Brussels, 1985).
10. Egypt reinstituted the death penalty for drug trafficking in May

1989 while the US Congress approved the use of capital punishment in the U.S.A. in 1988 though it remains to be applied in the latter.

11. For an example of this form of extrapolation see: European Parliament, Recommendations Of The Inquiry Committee On The Drugs Problem In The Member States Of The European Community (Brussels, September 1986), p. 9 (para. 18).

12. Calls for new and radical approaches to controlling the drug scene are increasingly being heard from a broad cross-section of society including policy-makers, publicists, governmental executives, the media as well as from various quarters of the law enforcement community. For a rather interesting perspective covering many of the issues at stake see: S. Wisotsky, Breaking the Impasse on the War on Drugs (New York: Greenwood Press, 1986). Demonstrative of the growing support for decriminalization and legalization of illicit drugs amongst the governmental sector has been the call by U.S. mayors and congressmen for such responses. (See: P. Kerr, "In U.S., a Growing Call for Legalized Narcotics," International Herald Tribune, May 16, 1988 (Paris), pp. 1 & 5 and C. Brenner, "Appeal to remove drugs from the underworld," The Times, May 17, 1988 (London), p. 6.) Among the more significant representatives of the media calling for changes are The Economist, The National Review, The New York Daily News and The New York Times. (See: "Dr. Nahas Decries Legalization, Urges U.S.-Soviet Cooperation In Global War Against Cocaine," PRIDE Quarterly, Vol. 9, No. 4 (Atlanta), p. 8.

13. 18 USC 1385.

14. 10 USC 371 - 378.

15. Refer: Anti-Drug Abuse Act of 1986, Title III (Interdiction), Subtitle A (Defense Drug Interdiction Act) signed into law on 27 October 1986.

16. UKHO, Tackling Drug Misuse: a summary of the government's strategy, 3rd ed. (London, 1988), p. 18 (See Section 4.24).

17. New Zealand Customs Dept., Project Cook [internal circulating proposal] (Wellington, 1987).

18. See: Council of Europe/Pompidou Group Docs. P-PG (88) 30 of 14 October 1988 and Addendum to P-PG (88) 30 of 22 December 1988.

19. C. K. Luckett, (personal communique from Principal Administrative Officer, Pompidou Group in Strasbourg dated 14 March 1989).

20. C. E. Robbins, (prepared statement presented by the Chief, Office of Operations of the US Coast Guard before the US House Judiciary Committee, Subcommittee on Crime on 22 May 1986), pp. 4-5.
21. 22 USC 2291(c).
22. Examples of such agreements include those made by the USCS with Flota Mercante Grancolombiana, SeaEscape Ltd. and the Pacific Merchants Shipping Association. (Information extracted from various issues of Customs U.S.A.)
23. "Airliner not liable to drugs forfeiture" - Commissioners of Customs and Excise v. Air Canada, The Times (Queen's Bench Div., Law Report), November 9, 1988 (London), p. 43.
24. USCS, "Carrier Cooperation," Customs U.S.A. 1984 (Washington, D.C., 1985), p. 22.
25. C. Mayer, "\$82m drugs fine levied on Sea-Land," Lloyd's List, January 7, 1989 (London), p. 1.
26. Folsom Research Inc., Coastal Security System (CSS) with radar remote displays [publicity brochure] (Folsom, California, 1987).
27. British Aerospace, CONDOR - Contraband Detector System [publicity brochure] (Bracknell, U.K., 1986).
28. M. Evans, "Drug threat to sniffer dogs," The Times, May 31, 1988 (London), p. 7.
29. OECD states with forfeiture of assets laws include Australia, Canada, Denmark, Finland, Greece, Norway, Sweden, the U.K. and the U.S.A. Among non-OECD states having forfeiture of assets laws are Costa Rica, Ecuador, Egypt, Malaysia, Panama, Thailand and Venezuela.
30. M. Dukakis, (rebuttal statement made by the Democratic candidate in the first U.S. Presidential Debate held on 25 September 1988 in Winston-Salem, North Carolina).

APPENDICES

APPENDIX TABLE I.

Units Of Mass, Weight, Area, Distance And Volume Used In Thesis.

Unit of Measure (name)	Metric Equivalent (in gms. or kgs.)	Unit of Measure (name)	Metric Equivalent (in gms. or kgs.)
grain	0.064 gms.	tahil (tael/thail)	37.800 gms.
ampoule	~0.015 gms.	oke (okia)	67.330 gms.
phial (vial)	~0.015 gms.	pound	454.000 gms.
cubic centimeter	1.000 gm.	catty (kati)	604.790 gms.
dram	1.770 gms.	packet (Opium)	933.039 gms.
dirhem	3.120 gms.	seer (Gov't)	933.039 gms.
drachma	3.200 gms.	picul	60.478 kgs.
momme	3.750 gms.	chest	~60.500 kgs.
mace	3.770 gms.	short ton (US)	907.180 kgs.
pastille (tube)	10.000 gms.	metric ton	1,000.000 kgs.
tola (tolah)	11.660 gms.	long ton	1,016.000 kgs.
ounce	28.350 gms.		
Poppy plants yield 9.5 - 10.0% by weight of actual drug (Opium) based on total weight of plant (hence, divide by 10 to derive crude opium yield).			
1.0 Kilometer	=	0.622 Statute Miles	= 0.54 Nautical Miles
1.6093 Kilometers	=	1.0 Statute Mile	= 0.87 Nautical Miles
1.852 Kilometers	=	1.15 Statute Miles	= 1.0 Nautical Mile
1.0 Square Kilometer = 0.386 Square Miles 2.59 Square Kilometers = 1.0 Square Mile			
1 hectare	=	2.47 Acres	1 Gross Registered Ton = 100 Cubic Feet

APPENDIX TABLE II.

International Conventions And Multilateral Treaties Regulating
The Flow Of Drugs Or Providing Related Mechanisms For Control.

<u>Date & Place Of Signing</u>	<u>Official Title of Convention Or Treaty And Year Of Entry Into Force</u>	<u>Ratifications & Accessions</u>
23 Jan 1912 The Hague	<u>International Opium Convention</u> [1915 - between 5 states/1919 - world-wide]	102
11 Feb 1925 Geneva	<u>Agreement Concerning the Manufacture of, Internal Trade In, and Use Of, Prepared Opium</u> (as amended by the 1946 Protocol) [1926]	55
19 Feb 1925 Geneva	<u>International Opium Convention</u> (as amended by the 1946 Protocol) [1928] <u>Note:</u> Also referred to as the <u>International Convention Relating To Dangerous Drugs.</u>	78
13 Jul 1931 Geneva	<u>Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs</u> (as amended by the 1946 Protocol) [1933]	91
27 Nov 1931 Bangkok	<u>Agreement for the Control of Opium Smoking in the Far East</u> (as amended by the 1946 Protocol)	-
26 Jun 1936 Geneva	<u>Convention for the Suppression of the Illicit Traffic in Dangerous Drugs</u> (as amended by the 1946 Protocol) [1939]	31
11 Dec 1946 Lake Success	<u>Protocol Amending the Agreements, Conventions And Protocols on Narcotic Drugs Concluded at The Hague on 23 January 1912, at Geneva on 11 February 1925 and 19 February 1925 and 13 July 1931, at Bangkok on 27 November 1931, and at Geneva on 26 June 1936 [1946]</u>	59
19 Nov 1948 Paris	<u>Protocol bringing Under International Control Drugs Outside the Scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regu- lating the Distribution of Narcotic Drugs, as amended by the Protocol signed at Lake Success, New York, on 11 December 1946 [1949]</u>	109

23 Jun 1953 New York	<u>Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of, Opium [1963]</u>	52
29 Apr 1958 Geneva	<u>Convention on the Territorial Sea and the Contiguous Zone [1964]</u>	46
29 Apr 1958 Geneva	<u>Convention on the High Seas [1962]</u>	57
30 Mar 1961 New York	<u>Single Convention on Narcotic Drugs, 1961 [1964]</u>	119
23 Mar 1962 Helsinki	<u>Treaty Of Co-operation Between Denmark, Finland, Iceland, Norway And Sweden [1962]</u>	5
23 May 1969 Vienna	<u>Vienna Convention on the Law of Treaties 1969 [1980]</u>	80
21 Feb 1971 Vienna	<u>Convention on Psychotropic Substances [1976]</u>	83
25 Mar 1972 Geneva	<u>Protocol amending the Single Convention on Narcotic Drugs, 1961 [1975]</u>	76
27 Apr 1973 Buenos Aires	<u>South American Agreement on Narcotic Drugs and Psychotropic Substances</u>	-
9 Jun 1977 Nairobi	<u>International Convention On Mutual Administrative Assistance For The Prevention, Investigation And Repression Of Customs Offences [1980]</u>	22
10 Dec 1982 Montego Bay	<u>UN Convention on the Law of the Sea 1982 [Not in force]</u>	40
18 Dec 1988 Vienna	<u>United Nations Convention Against Illicit Traffic In Narcotic Drugs And Psychotropic Substances, 1988 [Not in force]</u>	-

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